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Death on the Job: The Toll of Neglect

Abstract

[Excerpt] This 2012 edition of *Death on the Job: The Toll of Neglect* marks the 21st year the AFL-CIO has produced a report on the state of safety and health protections for America's workers.

Four decades ago, in 1970, Congress enacted the Occupational Safety and Health Act promising workers in this country the right to a safe job.

Since that time, workplace safety and health conditions have improved. But too many workers remain at serious risk of injury, illness or death, as demonstrated by three 2010 disasters: the explosion at the Massey Energy Upper Big Branch mine in West Virginia that killed 29 coal miners—the worst coal mine disaster in 40 years; the Tesoro Refinery explosion in Washington State that killed seven workers; and the BP/Transocean Gulf Coast oil rig explosion

Keywords

union, organizing, AFL-CIO, public policy, labor laws, health, safety, Occupational Safety and Health Act

Comments

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DEATH ON THE JOB

The Toll of Neglect

A NATIONAL AND
STATE-BY-STATE PROFILE OF
WORKER SAFETY AND HEALTH
IN THE UNITED STATES

21ST EDITION • APRIL 2012

AFL-CIO

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CONTENTS

	Page
I. Executive Summary	1
II. The State of Workers' Safety and Health 2012	5
III. National Safety and Health Overview	33
Charts and Graphs:	
Workplace Fatalities (Employment-Based), 1970–2007	35
Workplace Fatalities (Hours-Based), 2006–2010	36
Rate of Fatal Work Injuries (Employment-Based), 1992–2007	37
Rate of Fatal Work Injuries (Hours-Based), 2006–2010	38
Workplace Fatality Rates by Industry Sector, 1970–2002	39
Workplace Fatality Rates by Industry Sector (Employment-Based), 2003–2007	40
Workplace Fatality Rates by Industry Sector (Hours-Based), 2006–2010	41
Occupational Fatalities by Industry, 2010	42
Selected Occupations with High Fatality Rates, 2010	43
Fatal Work Injuries by Race, 1992–2010	44
Hispanic-Latino Worker Fatalities, 1992–2010	45
Rate of Fatal Occupational Injuries to Hispanic or Latino Workers (Employment-Based), 1995–2007	46
Rate of Fatal Occupational Injuries to Hispanic or Latino Workers (Hours-Based), 2006–2010	47
Workplace Injury and Illness Incidence Rates, 1972–2010	48
Workplace Injury and Illness Rates by Sector, 1973–2002	49
Workplace Injury and Illness Rates by Sector, 2003–2010	50
Injuries and Illnesses in Selected Industries for State and Local Government and Private Industry, 2010	51
Days Away from Work Injuries in Selected Industries for State and Local Government and Private Industry, 2010	52
Industries with the Highest Total Injury and Illness Rates, 2010	53
Nonfatal Occupational Injuries and Illnesses with Days Away from Work by Event or Exposure, 2010	54
Hispanic Worker Injuries/Illnesses with Days Away from Work, 1995–2010	55
Estimated and Reported Cases of MSDs, 1992–2010	56
Occupations with the Highest Numbers of MSDs, 2010	57
Highest Incidence Rates of MSDs by Industry, 2010	58
Highest Number of MSDs by Industry, 2010	59
True Toll of Workplace Injury and Illness, 2010	60

Federal OSHA Inspection/Enforcement Activity, FY 2005–2011	61
Federal and State Plan OSHA Enforcement Activity, FY 2011	62
Fatality Inspection Average Penalties, FY 2003–2011	63
Significant OSHA Enforcement Cases in FY 2011	64
Largest-Ever OSHA Enforcement Cases	65
Major OSHA Health Standards Since 1971	67
Major OSHA Safety Standards Since 1971	68
Delays in OSHA Standards Impact on Workers	70
Permissible Exposure Limits Comparison	71
Federal OSHA Budget and Personnel, FY 1975–2012	72
Federal OSHA Compliance Staffing, 1973–2010	73
Federal OSHA Compliance Officers Per Million Workers, 1973–2010	74
Job Safety and Health Appropriations, FY 2001–2013	75
Funding for Worker Training Programs vs. Employer Compliance Assistance Programs, FY 2001–2013	76
Number of Establishments and Employees Compared with the Number of OSHA Staff, 1975–2010	77
State and Local Employees OSHA Coverage Map	78
Profiles of Mine Safety and Health	79
Coal and Metal-Nonmetal Fatality Comparisons	80
Coal Fatalities by State, 2001–2011	81
Metal and Nonmetal Fatalities by State, 2001–2011	84
MSHA Impact Inspections, 2011	87
IV. State Comparisons	89
Charts and Graphs:	
Years Needed for OSHA to Inspect All Jobsites	91
OSHA Inspectors Compared with ILO Benchmark	92
Profile of Workplace Safety and Health in the United States	95
State-by-State OSHA Fatality Investigations, FY 2011	98
Workplace Safety and Health Statistics by State, 2005–2010	102
Workplace Fatalities by State, 1992–2010	105
Fatal Occupational Injuries by State and Event or Exposure, 2010	108
Injuries and Illnesses by State for Private Industry, State or Local Government, 2010	111
Hispanic Worker Fatalities by State, 1992–2010	114
Foreign-Born Worker Fatalities by State, 1992–2010	117
V. State Profiles	121
VI. Sources and Methodology for State Profiles	175

EXECUTIVE SUMMARY

This 2012 edition of *Death on the Job: The Toll of Neglect* marks the 21st year the AFL-CIO has produced a report on the state of safety and health protections for America's workers.

Four decades ago, in 1970, Congress enacted the Occupational Safety and Health Act promising workers in this country the right to a safe job.

Since that time, workplace safety and health conditions have improved. But too many workers remain at serious risk of injury, illness or death, as demonstrated by three 2010 disasters: the explosion at the Massey Energy Upper Big Branch mine in West Virginia that killed 29 coal miners—the worst coal mine disaster in 40 years; the Tesoro Refinery explosion in Washington State that killed seven workers; and the BP/Transocean Gulf Coast oil rig explosion that killed 11 workers and caused a massive environmental and economic disaster.

In 2010, according to data from the Bureau of Labor Statistics, 4,690 workers were killed on the job—an average of 13 workers every day—and an estimated 50,000 died from occupational diseases. More than 3.8 million work-related injuries and illnesses were reported, but this number understates the problem. The true toll of job injuries is two to three times greater—about 7.6 million to 11.4 million job injuries and illnesses each year.

The risk of job fatalities and injuries varies widely from state to state, in part due to the mix of industries. West Virginia led the country with the highest fatality rate (13.1 per 100,000), followed by Wyoming (11.9), Alaska (11.8), South Dakota (8.6) and North Dakota (8.4). The lowest state fatality rate (0.9 per 100,000) was reported in New Hampshire, followed by Massachusetts (1.7), Rhode Island (1.8) and California, Delaware and New Jersey (2.0). This compares with a national fatality rate of 3.6 per 100,000 workers in 2010.

Latino workers continue to be at increased risk of job fatalities, with a fatality rate of 3.9 per 100,000 workers in 2010. There were 707 fatal injuries among Latino workers, down from 713 in 2009. Sixty-two percent of these fatalities (441 deaths) were among workers born outside the United States.

The cost of job injuries and illnesses is enormous—estimated at \$250 billion to \$300 billion a year.

The number of workplace inspectors is woefully inadequate. The federal Occupational Safety and Health Administration (OSHA) and the state OSHA plans have a total of 2,178 inspectors (892 federal and 1,286 state inspectors) to inspect the 8 million workplaces under the OSH Act's jurisdiction. Federal OSHA can inspect workplaces on average once every 131 years; the state OSHA plans can inspect them once every 73 years. The current level of federal and state OSHA inspectors provides one inspector for every 58,687 workers.

OSHA penalties are too low to deter violations. The average penalty for a serious violation of the law in FY 2011 was \$2,107 for federal OSHA and \$942 for the state plans. Even in cases of worker fatalities, penalties are very weak. For FY 2011, the median initial total penalty in fatality cases investigated by federal OSHA was \$11,197, with a median penalty after settlement of \$7,900. For the OSHA state plans, the initial median total penalty was \$6,662, reduced to \$5,900 after settlement. South Carolina had the lowest median current penalty for fatality investigations, with \$1,688 in penalties assessed, followed by Idaho (\$1,750) and Utah (\$1,850). Rhode Island had the highest median current penalty (\$43,880), followed by Minnesota (\$26,375) and Wyoming (\$20,400).

Criminal penalties under the OSHA law are weak. They are limited to cases in which a willful violation results in a worker death and are misdemeanors. Since 1970, only 84 cases have been prosecuted, with defendants serving a total of 89 months in jail. During this time there were more than 370,000 worker deaths. By comparison, in FY 2011 there were 371 criminal enforcement cases initiated under federal environmental laws and 249 defendants charged, resulting in 89.5 years of jail time and \$35 million in penalties—more cases, fines and jail time in one year than during OSHA’s entire history.

Eight years of neglect and inaction by the Bush administration seriously eroded safety and health protections. Standards were repealed, withdrawn or blocked. Major hazards were not addressed. The job safety budget was cut. Voluntary compliance replaced strong enforcement. In the absence of strong government oversight and enforcement, many employers cut back their workplace safety and health efforts.

The Obama administration has returned OSHA and the Mine Safety and Health Administration (MSHA) to their mission to protect workers’ safety and health. The president appointed strong, pro-worker safety and health advocates to head the agencies—Dr. David Michaels at OSHA and Joe Main at MSHA.

The Obama administration has moved forward with new initiatives to strengthen enforcement and with some new safety and health standards on job hazards. The administration has increased the job safety budget and hired hundreds of new inspectors, restoring the cuts made during the Bush administration.

But with the election of a Republican majority in the House of Representatives in 2010, progress in safety and health is threatened. Business groups and Republicans have launched a major assault on regulations and have targeted key OSHA and MSHA rules. In the face of these attacks, progress on developing and issuing many important safety and health rules has stalled.

Workers in the United States need more safety and health protection, not less. Four decades after the passage of OSHA, there is much more work to be done.

The tragedy at Massey Energy’s Big Branch Mine and the explosion at the Tesoro Refinery highlighted serious problems in job safety protections and laws. At MSHA,

many coal operators contest violations to try to avoid being cited for a pattern of violations and subject to tougher enforcement, including suspending dangerous operations. At OSHA, the agency has no authority to require the correction of hazards while employer contests of violations are pending.

The job safety laws need to be strengthened.

Improvements in the Mine Safety and Health Act are needed to give MSHA more authority to shut down dangerous mines and to enhance enforcement against repeated violators.

The Occupational Safety and Health Act is now more than 40 years old and is out of date. Congress should pass the Protecting America's Workers Act to extend the law's coverage to workers currently excluded, strengthen civil and criminal penalties for violations, enhance anti-discrimination protections and strengthen the rights of workers, unions and victims.

The nation must renew the commitment to protect workers from injury, disease and death and make this a high priority. Employers must meet their responsibilities to protect workers and be held accountable if they put workers in danger. Only then can the promise of safe jobs for all of America's workers be fulfilled.

THE STATE OF WORKERS' SAFETY AND HEALTH

This 2012 edition of *Death on the Job: The Toll of Neglect* marks the 21st year the AFL-CIO has produced a report on the state of safety and health protections for America's workers. The report includes state-by-state profiles of workers' safety and health and features state and national information on workplace fatalities, injuries, illnesses, the number and frequency of workplace inspections, penalties, funding, staffing and public employee coverage under the Occupational Safety and Health Act (OSH Act). It also includes information on the state of mine safety and health.

Four decades ago, in 1970, Congress enacted the Occupational Safety and Health Act promising workers in this country the right to a safe job.

Since that time, workplace safety and health conditions have improved. But too many workers remain at serious risk of injury, illness or death, as demonstrated by three 2010 disasters: the explosion at the Massey Energy Upper Big Branch mine in West Virginia that killed 29 coal miners—the worst coal mine disaster in 40 years; the Tesoro Refinery explosion in Washington State that killed seven workers; and the BP/Transocean Gulf Coast oil rig explosion that killed 11 workers and caused a massive environmental and economic disaster.

In 2010, 4,690 workers lost their lives on the job as a result of traumatic injuries, according to preliminary data from the Bureau of Labor Statistics (BLS). Each day in this country, on average 13 workers die because of job injuries—women and men who go to work, never to return home to their families and loved ones. This does not include those workers who die from occupational diseases, estimated to be 50,000 each year—an average of 137 deaths each day.

In 2010, more than 3.8 million workers across all industries, including state and local government, had work-related injuries and illnesses that were reported by employers, with 3.1 million injuries and illnesses reported in private industry. Due to limitations in the injury reporting system and underreporting of workplace injuries, this number understates the problem. The true toll is estimated to be two to three times greater—or 7.6 million to 11.4 million injuries and illnesses a year.

The cost of these injuries and illnesses is enormous—estimated at \$250 billion to \$300 billion a year.

Eight years of neglect and inaction by the Bush administration seriously eroded safety and health protections. Standards were repealed, withdrawn or blocked. Major hazards were not addressed. The job safety budget was cut. Voluntary compliance replaced strong enforcement. In the absence of strong government oversight and enforcement, many employers cut back their workplace safety and health efforts.

Under the Obama administration, the Occupational Safety and Health Administration (OSHA) and the Mine Safety and Health Administration (MSHA) have returned to their mission to protect workers' safety and health. The president appointed strong, pro-worker safety and health advocates to head the agencies—Dr. David Michaels at OSHA and Joe Main at MSHA.

The Obama administration has moved forward with new initiatives to strengthen enforcement and with some new safety and health standards on job hazards. The administration has increased the job safety budget and hired hundreds of new inspectors, restoring the cuts made during the Bush administration.

But with the election of a Republican majority in the House of Representatives in 2010, progress in safety and health is threatened. Business groups and Republicans have launched a major assault on regulations and have targeted key OSHA and MSHA rules. In the face of these attacks, progress on developing and issuing many important safety and health rules has stalled. Workers in the United States need more safety and health protection, not less. Four decades after the passage of OSHA, there is much more work to be done.

JOB FATALITIES, INJURIES AND ILLNESSES

More than 451,000 workers now can say their lives have been saved since the passage of the OSH Act in 1970.¹ Unfortunately, too many workers remain at risk. On average, 13 workers were fatally injured and more than 10,640 workers in private industry and state and local government were injured or made ill each day of 2010. These statistics do not include deaths from occupational diseases, which claim the lives of an estimated 50,000 workers each year.

Job Fatalities

According to data from the BLS, there were 4,690 workplace deaths due to traumatic injuries in 2010, an increase over the 4,551 deaths reported in 2009. The rate of fatal injuries in 2010 was 3.6 per 100,000 workers, compared to a rate of 3.5 per 100,000 workers reported in 2009. According to the BLS, economic factors played a role in the number of job fatalities, as the recession resulted in declines or slow growth in hours worked in some high-risk industries like construction that historically have experienced high numbers of fatalities.²

West Virginia led the country with the highest fatality rate (13.1 per 100,000), followed by Wyoming (11.9), Alaska (11.8), South Dakota (8.6) and North Dakota (8.4). The 2010 Upper Big Branch mining disaster where 29 miners died contributed to West Virginia having the highest rate. The lowest state fatality rate (0.9 per 100,000) was reported in New Hampshire, followed by Massachusetts (1.7), Rhode Island (1.8), and California, Delaware and New Jersey (2.0).³ Twenty-nine states saw an increase in either the rate or number of fatalities between 2009 and 2010.

¹ Calculated based on change in annual fatality rates and employment since 1970. Fatality rate data for 1970 to 1991 is from National Safety Council Accident Facts, 1994. Fatality rate data for 1992 to 2010 is from the Bureau of Labor Statistics, Census of Fatal Occupational Injuries. Annual employment data is from the Bureau of Labor Statistics Current Population Survey.

² Bureau of Labor Statistics, Census of Fatal Occupational Injuries in 2010 (Final Results), Apr. 25, 2012.

³ State fatality rates have not yet been calculated by BLS. The AFL-CIO calculated preliminary 2010 state fatality rates per 100,000 workers using the numbers of deaths reported by BLS for 2010 and the data on the employment status of the civilian non-institutional population 2010 annual averages from the BLS Current Population Survey (CPS).

In 2010, a number of states experienced large increases in fatality rates from their 2009 rates. West Virginia led the way with a 130 percent increase, followed by Alaska (111 percent), Wyoming (59 percent) and Hawaii (57 percent).

The construction sector had the largest number of fatal work injuries (774) in 2010, followed by transportation and warehousing (661) and agriculture, forestry, fishing and hunting (621). Industry sectors with the highest fatality rates were agriculture, forestry, fishing and hunting (27.9 per 100,000), mining (19.8 per 100,000) and transportation and warehousing (13.7 per 100,000).

The number of deaths in construction decreased to 774 deaths in 2010 compared with 834 in 2009, likely as a result of the recession and a decrease in the numbers of hours worked, and the fatality rate in 2010 was lower at 9.8 per 100,000 workers compared to the rate in 2009 (9.9 per 100,000). In manufacturing, the number of fatalities increased, with 329 deaths reported in 2010, compared with 319 deaths in 2009. The fatality rate in manufacturing was the same in 2010 as in 2009 (2.3 per 100,000). The mining industry saw a sharp increase in fatalities, with 172 deaths reported in 2010 compared to 99 deaths reported in 2009. The Upper Big Branch mining disaster accounted for 29 of these deaths. Within the mining industry, in 2010 BLS reported 12 deaths in oil and gas extraction, 60 deaths in mining and 100 deaths in mining support activities. According to separate statistics reported by MSHA, in 2010 there were 48 deaths in coal mining and 23 deaths in metal and nonmetal mining.

Transportation incidents, in particular highway crashes, continue to be the leading cause of workplace deaths, responsible for 1,857 or 40 percent of all fatalities in 2010. Highway crashes accounted for 23 percent of the fatal work injury total (1,044).

The number of fatalities from falls was essentially unchanged, with 646 fatal falls reported in 2010 compared to 645 fatal falls reported in 2009.

From 2009 to 2010, there was a slight decrease in the number of workplace deaths caused by assaults and violent acts (837 compared to 832).

In 2010, the number of workplace homicides dropped from 518 compared with 542 homicides reported in 2009. However, workplace suicides increased, with 270 in 2010 compared with 263 in 2009.

Transportation and material moving occupations had the highest number of fatalities with 1,160 deaths, followed by construction and extraction occupations with 780 fatal injuries. The occupations at greatest risk of work-related fatalities were fishers and related fishing workers (152.0 per 100,000), logging workers (93.5 per 100,000) and aircraft pilots and flight engineers (70.6 per 100,000).

Fatal injuries to Hispanic or Latino workers declined but continue to be a serious problem, with 707 fatal injuries among Hispanic workers in 2010. This compares with 713 fatalities among Hispanic workers in 2009. Since 1992, when BLS started the fatality census, the number of

fatalities among Hispanic workers has increased by 33 percent, from 533 fatalities in 1992 to 707 in 2010. At the same time, the overall number of workplace fatalities dropped from 6,217 in 1992 to 4,690 in 2010.

In 2010, 62 percent of the fatalities (441 deaths) among Hispanic or Latino workers were among workers born outside of the United States. The states with the highest number of Hispanic worker fatalities were Texas (165), California (142) and Florida (38).

The rate of fatal injuries to Hispanic or Latino workers decreased from 4.0 per 100,000 workers in 2009 to 3.9 per 100,000 workers in 2010. The fatality rate among Hispanic or Latino workers in 2010 was 8 percent higher than the fatal injury rate for all U.S. workers.

Fatalities among foreign-born or immigrant workers increased and continue to be a serious problem. In 2010, there were 798 workplace deaths reported among immigrant workers, compared with 740 deaths in 2009. Since 1992, fatalities among foreign-born workers have increased by 26 percent, from 635 deaths to 798 deaths in 2010.

California, Texas and New York had the greatest number of foreign-born worker fatalities in 2010, with 145, 117 and 63 deaths, respectively. Of the foreign-born workers who were fatally injured at work in 2010, 55 percent were Hispanic or Latino, 21 percent were white, 16 percent were Asian, native Hawaiian or Pacific Islander and 7 percent were black or African American. Of the foreign-born workers who were injured fatally at work in 2010, 38 percent were from Mexico. Twenty-nine percent of the foreign-born fatalities resulted from assaults and violent acts, 28 percent resulted from transportation incidents, 18 percent were a result of falls and 13 percent resulted from contact with objects and equipment.

The number of fatalities among black or African American workers decreased to 412 in 2010, down from 421 deaths in 2009.

Job Injuries and Illnesses

In 2010, 3.1 million injuries and illnesses were reported in private-sector workplaces, a decrease from 3.3 million in 2009. The Bureau of Labor Statistics (BLS) survey also included data on work-related injuries and illnesses among state and local government workers. BLS reported that an additional 820,300 state and local government workers nationwide were injured or made sick in 2010, for a total of 3.9 million reported work-related injuries and illnesses.

The national injury and illness rate for the private sector in 2010 was 3.5 per 100 workers, while the rate for all industries, including state and local government workers, was higher at 3.8 per 100 workers. The injury and illness rate for state and local government workers combined was considerably higher at 5.7 per 100 workers, with the rate for state government workers at 4.6 per 100 workers and rate for local government workers 6.1 per 100 workers, nearly double the rate in private industry.

The health care and social assistance industry accounted for 21.3 percent of the nonfatal workplace injuries and illnesses in private industry in 2010. Manufacturing accounted for 16.3

percent of injuries and illnesses, followed by the retail trade industry at 14.8 percent. Construction experienced 6.6 percent of all private-sector injuries and illnesses in 2010.

The industries with the highest rates of nonfatal workplace injuries and illnesses were nursing and residential care facilities (state government, 15.1 per 100), fire protection (local government, 13.9 per 100), travel trailer and camper manufacturing (private industry, 13.2 per 100), iron foundries (private industry, 12.0 per 100) and hospitals (state government, 11.8 per 100).

Thirty-one percent of all cases of injuries and illnesses involving days away from work, job transfer or restriction in private industry occurred in the trade, transportation and utilities industry, followed by education and health services at 20 percent, manufacturing at 17 percent and construction at 7 percent. Occupations in private industry with the highest number of injuries involving days away from work were laborers and materials movers, nursing aides and orderlies, heavy and tractor-trailer truck drivers, light and delivery truck drivers and retail salespersons.

The median number of days away from work for lost-time injury cases in private industry was eight days in 2010, with 27.5 percent of all days away from work cases resulting in 31 or more days away from work.

Musculoskeletal Disorders

For 2010, BLS reported 284,340 musculoskeletal disorder (MSD) cases resulting in days away from work in the private sector. MSDs accounted for 30.5 percent of all injuries and illnesses involving days away from work and remain the biggest category of injury and illness.

The occupations reporting the highest number of MSDs involving days away from work in 2010 were nursing aides, orderlies and attendants (27,020); laborers and freight, stock, and material movers, handlers (23,420); and janitors and cleaners (14,680). The median number of days away from work for MSDs in 2009 was 11 days.

Industries with the highest incidence rates of musculoskeletal disorders involving days away from work in 2010 were air transportation (208.3 per 10,000 workers), couriers and messengers (101.5 per 10,000 workers), nursing and residential care facilities (96.0 per 10,000 workers), beverage and tobacco product manufacturing (77.3 per 10,000 workers); warehousing and storage (76.8 per 10,000 workers), hospitals (71.8 per 10,000 workers) and truck transportation (67.2 per 10,000 workers).

While the reported rate of all injuries and illnesses decreased in 2010, the rate of MSD injuries increased. In 2010, the MSD incidence rate across all industries in the United States was 32.8 per 10,000 workers, up from a rate of 31.3 per 10,000 workers in 2009.

It is important to recognize the numbers and rates of MSDs reported by BLS represent only a part of the total MSD problem. The BLS MSD data are limited to cases involving one or more days away from work, the cases for which BLS collects detailed reports. Similar detailed reports are not collected for injuries and illnesses that do not involve lost work time or those that result in job transfer or restriction but not in time lost from work. Based on the percentage of days

away from work cases involving MSDs (30.5 percent) in 2010, there were an estimated 202,795 MSDs that resulted in restricted activity or job transfer, 487,421 MSD cases that resulted in days away from work, restricted activity or job transfer, and a total of 934,337 MSDs reported by private-sector employers.

Moreover, these figures do not include injuries suffered by public-sector workers or postal workers, nor do they reflect the underreporting of MSDs by employers. Based on studies and experience, OSHA has estimated that MSDs are understated by at least a factor of two—that is, for every MSD reported, there is another work-related MSD that is not recorded or reported.⁴ However, a recent study that examined undercounting of injuries and illnesses found that underreporting is even greater, with two additional injuries occurring for every injury that is reported.⁵

Reported Cases Understate Problem

In recent years there has been increased attention to and concern about the accuracy and completeness of the injury and illness data reported by employers that form the basis for the BLS Annual Survey on Occupational Injuries and Illnesses. While government statistics show that occupational injury and illness are declining, numerous studies have shown government counts of occupational injury and illness are underestimated by as much as 69 percent.⁶ A study published in the April 2006 *Journal of Occupational and Environmental Medicine* that examined injury and illness reporting in Michigan made similar findings.⁷ The study compared injuries and illnesses reported in five different databases—the BLS Annual Survey, the OSHA Annual Survey, the Michigan Bureau of Workers' Compensation, the Michigan Occupational Disease reports and the OSHA Integrated Management Information System. It found that during the years 1999, 2000 and 2001, the BLS Annual Survey, which is based upon employers' OSHA logs, captured approximately 33 percent of injuries and 31 percent of illnesses reported in the various databases in the state of Michigan.

A similar study published in 2008 comparing the injuries reported to state workers' compensation systems with those reported to the Bureau of Labor Statistics Annual Survey in six states for the years 1998–2001 found similar results.⁸ The study, which examined reporting in Minnesota, New Mexico, Oregon, Washington, West Virginia and Wisconsin, found the BLS survey captured 50 percent to 75 percent of the injuries and illnesses that occurred, missing half to a quarter of the injuries and illnesses that occurred in these states. As with the Michigan study, more injuries and illnesses were reported to the state workers' compensation systems than to the BLS survey.

⁴ 64 F.R. 65981 and 65 F.R. 68758.

⁵ Rosenman, K.D., Kalush, A., Reilly, M.J., Gardiner, J.C., Reeves, M. and Luo, Z., "How Much Work-Related Injury and Illness is Missed by the Current National Surveillance System?" *Journal of Occupational and Environmental Medicine*, Vol. 48, No. 4, pp 357–367, April 2006.

⁶ Leigh, J. Paul, James P. Marcin, J. and Miller, T.R., "An Estimate of the U.S. Government's Undercount of Nonfatal Occupational Injuries," *Journal of Occupational and Environmental Medicine*, Vol. 46, No. 1, January 2004.

⁷ Rosenman, *op. cit.*

⁸ Boden, L.I. and A.Ozonoff, "Capture-Recapture Estimates of Nonfatal Workplace Injuries and Illnesses," *Annals of Epidemiology*, Vol. 18, No. 6 (2008).

The BLS data underestimate the extent of workplace injuries and illnesses in the United States for a variety of reasons. First, the data exclude many categories of workers (self-employed individuals; farms with fewer than 11 employees; employers regulated by other federal safety and health laws; federal government agencies; and private household workers). This results in the exclusion of more than one in six workers from the BLS Annual Survey.

In addition to the built-in exclusions, there are several other factors that may contribute to underreporting by employers:

- Concern about increased workers' compensation costs for increased reports of injuries;
- Fear of being denied government contracts due to high injury rates; and
- Concern about being targeted by OSHA for inspection if a high injury rate is reported.

There also are many reasons why workers may not report an injury or illness to their employer:

- Economic incentives can influence workers. Employer-implemented programs that offer financial rewards for individuals or departments for going a certain number of days without an injury may discourage workers from reporting. A 2006 report by the California state auditor documented one such case where the use of economic incentives on the San Francisco-Oakland Bay Bridge project was identified as a likely cause of significant underreporting of injuries.⁹
- Employees do not want to be labeled as accident-prone.
- Employers implement programs that discipline or even terminate workers when they report an injury, discouraging workers from reporting.
- Workers may be reluctant to apply for workers' compensation; many others do not know how to use the workers' compensation system.
- Foreign-born workers, whether in the country legally or not, face additional barriers to reporting injuries. They may not know how or to whom to report the injury. They may fear being fired or harassed or being reported to the Bureau of Citizenship and Immigration Services.

In 2008 and 2009, the problems of underreporting of workplace injuries and illnesses were the subject of congressional attention and action. In June 2008, the House Education and Labor Committee held an oversight hearing to explore the extent, causes and impact of injury underreporting. In conjunction with the hearing, the committee released a report—*Hidden Tragedy: Underreporting of Workplace Injuries and Illnesses*—that documented the widespread problem of underreporting.¹⁰

In October 2009, the U.S. Government Accountability Office (GAO) released a report on an in-depth evaluation on injury and illness reporting and employer injury recordkeeping practices.¹¹ The study found OSHA's procedures to audit the accuracy of employer injury records were

⁹ California State Auditor, Bureau of State Audits. *San-Francisco-Oakland Bay Bridge Worker Safety: Better State Oversight Is Needed to Ensure That Injuries Are Reported Properly and That Safety Issues Are Addressed*. Report 2005–119. February 2006. Report available at www.bsa.ca.gov/pdfs/reports/2005-119.pdf.

¹⁰ www.cste.org/dnn/Portals/0/House%20Ed%20Labor%20Comm%20Report%20061908.pdf.

¹¹ Workplace Safety and Health: Enhancing OSHA's Records Audit Process Could Improve the Accuracy of Worker Injury and Illness Data, GAO-10-10, Oct. 15, 2009, www.gao.gov/new.items/d1010.pdf.

deficient, and that in many workplaces there were significant pressures on workers not to report injuries. As part of the review, GAO conducted a survey of more than 1,000 occupational physicians and other occupational health professionals. Sixty-seven percent of those surveyed reported they had observed fear among workers of disciplinary action for reporting injuries. Fifty-three percent of the health practitioners reported pressure from company officials to downplay the seriousness of injuries and illnesses, and more than one-third had been asked by employers or workers not to provide needed medical treatment to keep the injury from being recorded.

In response to congressional oversight and the GAO study, OSHA, BLS and NIOSH have undertaken a number of initiatives to investigate and address the underreporting of injuries and illnesses. BLS and NIOSH are conducting research to use other data sources to evaluate the extent of job injuries and to compare those results with data from the BLS survey.

In 2010 OSHA initiated a national emphasis program (NEP) to investigate injury reporting and recording practices, targeting its efforts at firms in high-risk industries that are reporting very low injury rates. In addition to reviewing the accuracy of employers' injury logs, this initiative examined whether employers utilized discipline policies, incentive programs or other practices that discourage the reporting of injuries by workers.

Under the recordkeeping NEP, federal OSHA conducted 351 inspections, of which 66 percent identified violations of OSHA's recordkeeping requirements. In these inspections, OSHA found 632 recordable cases that had not been entered on the OSHA 300 logs, 17 percent of the total cases identified. The result of this underreporting was to understate the reported injury and illness rate by an average of 20 percent in the inspected establishments. The NEP inspections resulted in seven willful violations, three repeat violations and 721 other-than-serious violations, and total proposed penalties of \$883,000. Under OSHA's recordkeeping enforcement policy, violations for recordkeeping normally are classified as other-than serious, so no serious violations were issued.¹²

OSHA also has been addressing the issue of injury reporting through its whistleblower program. Under OSHA regulations, reporting work-related injuries is a protected activity, and employers are prohibited from retaliating against workers who report injuries. The Federal Rail Safety Act, for which OSHA enforces the whistleblower provisions, also includes specific provisions that prohibit retaliation against workers who report injuries.

Over the last two years, in response to a growing number of worker anti-retaliation claims, OSHA has taken a number of actions to enforce against retaliation for reporting injuries. In a number of high-profile cases in the rail industry, including cases at Burlington Northern Santa Fe Railway, Union Pacific and Metro North Commuter Railroad, OSHA has taken aggressive action, ordering reinstatement of workers and the cessation of injury discipline policies, and seeking punitive damages. Action also has been taken against other employers under 11(c) of the OSH Act for similar practices.

¹² Personal communication, OSHA, April 2012.

To address the problem of injury underreporting, OSHA issued a policy memorandum in March 2012 to provide guidance to the field on the types of employer safety incentive and disincentive policies and practices that could constitute illegal retaliation under section 11 (c) and other whistleblower statutes, and the steps that investigators should take in responding to complaints of employer retaliation for injury reporting. The memo does not expand current rights or protections, but reaffirms that reporting an injury is a protected activity and employer actions that interfere with or discourage the reporting of injuries are illegal. The memo is an important first step in establishing a uniform approach for addressing barriers to reporting injuries and illnesses in the workplace.

Cost of Occupational Injuries and Deaths

The cost of occupational injuries and deaths in the United States is staggering, estimated at \$250 billion to \$300 billion a year, according to two recent studies.

A 2011 comprehensive study on the “Economic Burden of Occupational Injury and Illness in the United States” by J. Paul Leigh at the University of California, Davis examined a broad range of data sources, including data from the BLS, Centers for Disease Control and Prevention, the National Council on Compensation Insurance and the Healthcare Cost and Utilization Project, to determine the cost of fatal and nonfatal occupational injuries and illnesses for 2007. This study estimated the medical and indirect (productivity) costs of workplace injuries and illnesses at \$250 billion annually, more than the cost of cancer.¹³

A recent report by Liberty Mutual Insurance, the nation’s largest workers’ compensation insurance company, found similar results. The 2011 Workplace Safety Index on the leading causes and costs of compensable work injuries and illnesses, based on 2009 data, found that the most disabling workplace injuries cost U.S. employers more than \$50.1 billion—nearly \$1 billion per week—in direct costs alone (medical and lost wage payments).¹⁴ Based on calculations used in its previous Safety Index, the Liberty Mutual data indicate businesses pay between \$150 billion and \$300 billion annually in direct and indirect (overtime, training and lost productivity) costs on workers’ compensation losses (indirect costs are estimated to be two to five times direct costs).¹⁵ These figures are derived using disabling incidents (those resulting in an employee missing six or more days away from work). These cases represent only the most serious injuries, and relying only on these cases significantly underestimates the overall cost of injuries and illnesses. Moreover, Liberty Mutual bases its cost estimates on BLS injury data. Thus all of the problems of underreporting in the BLS system apply to the Liberty Mutual cost estimates as well.

¹³ Leigh, J. Paul, “Economic Burden of Occupational Injury and Illness in the United States,” *The Milbank Quarterly*, Vol. 89, No. 4, 2011.

¹⁴ 2011 Liberty Mutual Workplace Safety Index. Report available at: www.libertymutualgroup.com/omapps/ContentServer?pagename=LMGroup/Views/LMG&ft=2&fid=1138356633468.

¹⁵ April 16, 2002, News Release, Liberty Mutual Research Institute for Safety.

OSHA ENFORCEMENT AND COVERAGE

When it comes to job safety enforcement and coverage, it is clear OSHA lacks sufficient resources to protect workers adequately. A combination of too few OSHA inspectors and low penalties makes the threat of an OSHA inspection hollow for too many employers. More than 8.1 million workers still are without OSHA coverage.

The Obama administration has moved to enhance enforcement and increase the inspection staff. But OSHA's resources remain inadequate to meet the challenge of ensuring safe working conditions for America's workers. In FY 2011, there were at most 2,178 federal and state OSHA inspectors responsible for enforcing the law at approximately 8 million workplaces.¹⁶ In FY 2011, the 892 federal OSHA inspectors conducted 40,625 inspections (393 fewer than in FY 2010), and the 1,286 inspectors in state OSHA agencies combined conducted 52,314 inspections (5,007 fewer than in FY 2010).

At its current staffing and inspection levels, it would take federal OSHA 131 years to inspect each workplace under its jurisdiction just once. In seven states (Arkansas, California, Florida, Louisiana, New Hampshire, North Dakota and South Dakota), it would take 150 years or more for OSHA to pay a single visit to each workplace. In 22 states, it would take between 100 and 149 years to visit each workplace once. Inspection frequency is better in states with OSHA-approved plans, yet still far from satisfactory. In these states, it now would take the state OSHA plans combined 73 years to inspect each worksite under state jurisdiction once.

The current level of federal and state OSHA inspectors provides one inspector for every 58,945 workers. This compares with a benchmark of one labor inspector for every 10,000 workers recommended by the International Labor Organization for industrialized countries.¹⁷ In the states of Arkansas, Florida, Louisiana, New Hampshire and Texas, the ratio of inspectors to employees is greater than 1 per 100,000 workers.

Federal OSHA's ability to provide protection to workers has greatly diminished over the years. When the AFL-CIO issued its first *Death on the Job: The Toll of Neglect* report in 1992, federal OSHA could inspect workplaces under its jurisdiction once every 84 years, compared with once every 131 years at the present time. Since the passage of the OSH Act, the number of workplaces and number of workers under OSHA's jurisdiction has more than doubled, while at the same time the number of OSHA staff and OSHA inspectors has been reduced. In 1975, federal OSHA had a total of 2,435 staff (inspectors and all other OSHA staff) and 1,102 inspectors responsible for the safety and health of 67.8 million workers at more than 3.9 million establishments. In FY 2011, there were 2,335 federal OSHA staff responsible for the safety and health of more than 127.8 million workers at 8.8 million workplaces.

At the peak of federal OSHA staffing in 1980, there were 2,951 total staff and 1,469 federal OSHA inspectors (including supervisors). The ratio of OSHA inspectors per 1 million workers

¹⁶ This reflects the number of federal inspectors plus the number of inspectors reflected in the FY 2011 state plan grant applications. It does not include compliance supervisors.

¹⁷ International Labor Office, *Strategies and Practice for Labor Inspection*, G.B.297/ESP/3, Geneva, November 2006. The ILO benchmark for labor inspectors is one inspector per 10,000 workers in industrial market economies.

was 14.8. By 2010, there were only 1,016 federal OSHA inspectors (including supervisors), or 7.3 inspectors per 1 million workers.

The number of employees subject to federal OSHA inspections was 1.4 million in FY 2011, the same as in FY 2010. The average number of hours spent per inspection increased between FY 2010 and FY 2011, from 19.0 hours to 20.4 hours per safety inspection and from 33.8 hours to 33.9 hours per health inspection.

In the state OSHA plans, in FY 2011, there were 2,213,131 employees subject to inspections, with safety inspections averaging 17.6 hours and health inspections averaging 27.7 hours.

Penalties for significant violations of the law have increased under the Obama administration. In October 2010, OSHA announced a new penalty policy to more appropriately reflect the gravity of the violation and provide a greater deterrence. The new policy changes the formulas for calculating penalties to utilize more fully OSHA's statutory authority for assessing penalties, (e.g., a \$7,000 maximum penalty for serious violations and a maximum of \$70,000 for willful and repeat violations), and to ensure deep discounts are not given for the most serious of violations.

The result of this change has been to double the average federal OSHA proposed penalty for serious violations. A violation is considered "serious" if it poses a substantial probability of death or serious physical harm to workers. In FY 2011, the average penalty for a serious violation for federal OSHA was \$2,107, compared with an average penalty of \$1,052 for such violations in FY 2010. While an improvement, the average penalty for serious violations remains well below the \$7,000 penalty for serious violations provided for in the OSH Act.

In the state OSHA plans, most of which have not yet adopted this change in policy, the average penalty for a serious violation remains quite low; in FY 2011 it was \$942, up from an average penalty of \$858 in FY 2010. In FY 2011, Oregon had the lowest average penalty for serious violations at \$346, while California continued to have the highest average penalty at \$4,851 per serious violation.

The number of willful violations issued by federal OSHA decreased from 1,513 in FY 2010 to 572 in FY 2011. The average penalty for willful violations also decreased, from \$54,135 per willful violation in FY 2010 to \$39,751 in FY 2011. For repeat violations, the average penalty per violation increased, from \$4,368 in FY 2010 to \$6,958 in FY 2011.

In the state OSHA plan states, in FY 2011, there were 296 willful violations issued, with an average penalty of \$35,541, and 1,999 repeat violations, with an average penalty of \$2,458 per violation.

OSHA enforcement in cases involving worker fatalities, while somewhat improved, remains too weak. According to OSHA inspection data, the average total penalty in a fatality case in FY 2011 was just \$15,519 for federal and state OSHA plans combined. However, averages can distort the real picture of fatality penalties in situations in which large cases with very high penalties raise the averages substantially. Using median penalties that capture the point where half of the

penalties are below and half the penalties are above the median provides a better picture of the typical penalties in cases involving worker deaths.

The median penalty per fatality investigation conducted in FY 2011 is currently \$7,900 for federal OSHA and the median current penalty is \$5,900 for the state OSHA plans combined, according to enforcement data provided by OSHA in December 2011. This compares with a median penalty of \$5,600 for federal OSHA in FY 2010, and a median penalty of \$4,543 in FY 2010 for the state OSHA plans. These data, both averages and median penalties, also include enforcement cases that still are under contest, and it is likely that after settlements and final resolution, these penalty levels will be much lower.

A state-by-state analysis of fatality investigations shows penalties in cases involving worker deaths vary widely from state to state. In FY 2011, Delaware and Vermont each conducted one fatality inspection and no penalties were issued. South Carolina had the lowest median current penalty for fatality investigations, with \$1,688 in penalties assessed; followed by Idaho (\$1,750) and Utah (\$1,850). Rhode Island had the highest median current penalty (\$43,880), followed by Minnesota (\$26,375) and Wyoming (\$20,400).

The Obama administration has moved to strengthen OSHA enforcement, with an emphasis on the most serious violations and repeated violators. In FY 2011, there were 215 significant cases (classified by OSHA as those cases having total penalties of greater than \$100,000), up from 164 significant cases in FY 2010. Within the last year, OSHA has launched several initiatives to further strengthen enforcement.

The Severe Violator Enforcement Program (SVEP), initiated in June 2010, replaced the Bush administration's Enhanced Enforcement Program (EEP), which had been criticized severely by the U.S. Department of Labor's Office of Inspector General as deficient.¹⁸ The new SVEP focuses on the most persistent and egregious violators who have a history of willful, repeated or failure to abate violations, particularly related to fatalities, major occupational safety and health hazards or underreporting of injuries or illnesses. The program provides for more frequent inspections, public notification and other measures at workplaces identified as severe violators and provides for enhanced scrutiny of other establishments of the same employer.

As of Jan. 31, 2012, OSHA had logged 242 SVEP cases, of which 148 cases (61 percent) were in the construction industry. Twenty-seven of these cases resulted in egregious violations.¹⁹

OSHA is attempting to expand the impact of its inspections by seeking to require correction of similar hazards and violations at multiple establishments of the inspected employer. While OSHA has utilized such an approach for many years through corporatewide settlement agreements, in 2010 in an enforcement action against the U.S. Postal Service, OSHA sought an order from the Occupational Safety and Health Review Commission to require 350 locations of

¹⁸U.S. Department of Labor, Office of Inspector General—Office of Audit, "Employers with Reported Fatalities Were Not Always Properly Identified and Inspected Under OSHA's Enhanced Enforcement Program," March 31, 2009, Report Number: 02-09-203-10-105.

¹⁹Fairfax, Richard, SVEP, Corporate Settlement Agreements, Penalties and Significant Cases, PowerPoint Presentation, American Bar Association, Occupational Safety and Health Committee, Sarasota, Fla., March 2012.

the USPS to correct electrical safety violations, based upon inspection findings at multiple locations. The USPS has contested the violations and settlement talks still are under way. In 2012, OSHA filed a similar complaint against the Demoulas Super Markets, a New England-based grocery chain, seeking to protect employees from fall and laceration hazards at 60 of the company's stores in Massachusetts and New Hampshire.

Criminal enforcement under the Occupational Safety and Health Act has been and remains exceedingly rare. According to information provided by the Department of Labor, since the passage of the act in 1970, only 84 cases have been prosecuted under the act, with defendants serving a total of 89 months in jail. During this time, there were more than 370,000 workplace fatalities, according to National Safety Council and BLS data, about 20 percent of which were investigated by federal OSHA. In FY 2011, there were 10 cases referred by DOL for possible criminal prosecution. To date, the Department of Justice (DOJ) has declined to prosecute two of these cases; two have been accepted; and the other six still are under review by DOJ.²⁰

By comparison, EPA reported in FY 2011 there were 371 criminal enforcement cases initiated under federal environmental laws and 249 defendants charged, resulting in 89.5 years of jail time and \$35 million in penalties—more cases, fines and jail time in one year than during OSHA's entire history.²¹ The aggressive use of criminal penalties for enforcement of environmental laws and the real potential for jail time for corporate officials serve as a powerful deterrent.

The criminal penalty provisions of the OSH Act are woefully inadequate. Criminal enforcement is limited to those cases in which a willful violation results in a worker's death or where false statements in required reporting are made. The maximum penalty is six months in jail, making these cases misdemeanors. Criminal penalties are not available in cases in which workers are endangered or seriously injured, but no death occurs. This is in contrast to federal environmental laws, where criminal penalties apply in cases where there is "knowing endangerment" and make such violations felonies.

As a result of the weak criminal enforcement provisions of the OSH Act, in recent years the Justice Department launched a new Worker Endangerment Initiative. This initiative focuses on companies who put workers in danger while violating environmental laws, and prosecutes such employers using the much tougher criminal provisions of environmental statutes. Under the initiative, the Justice Department has prosecuted McWane Inc., a major manufacturer of cast iron pipe, responsible for the deaths of several workers; Motiva Enterprises for negligently endangering workers in an explosion that killed one worker and caused major environmental releases; British Petroleum for a 2005 explosion at a Texas refinery that killed 15 workers; W.R. Grace for knowing endangerment of workers exposed to asbestos-contaminated vermiculite in Libby, Mont.; and Tyson Foods for exposing employees to hydrogen sulfide gas, which resulted in the poisoning of several workers at multiple facilities.^{22,23}

²⁰ Personal communication, Richard Fairfax, Occupational Safety and Health Administration, U.S. Department of Labor, April 10, 2012.

²¹ www.epa.gov/compliance/resources/reports/endofyear/eoy2011/eoy-trends.html

²² Frontline: A Dangerous Business Revisited, March 2008, www.pbs.org/wgbh/pages/frontline/mcwane/penalty/initiative.html.

²³ Goldsmith, Andrew D., Worker Endangerment Initiative, PowerPoint Presentation, American Bar Association, Occupational Safety and Health Committee, Miami Beach, Fla., February 2009.

To strengthen enforcement, the Department of Labor also is expanding its efforts to work with and assist local prosecutors in the prosecution of cases that result in worker deaths or serious injuries under state criminal statutes.

OSHA also is moving to strengthen the Whistleblower Protection Program to protect workers who raise job safety issues and exercise other rights from employer retaliation. In addition to enforcing the anti-discrimination provisions under section 11(c) of the Occupational Safety and Health Act, OSHA has the responsibility to enforce the whistleblower provisions of 20 other statutes, ranging from the Federal Rail Safety Act to the Sarbanes-Oxley finance law. Congress has given OSHA this responsibility without any increase in resources. To strengthen whistleblower protections, the Obama administration has elevated the whistleblower program to the OSHA assistant secretary's office. Additional staff have been hired, funding for more investigators requested and field investigations and enforcement strengthened.

Under the Bush administration, OSHA placed great emphasis on the expansion of OSHA's voluntary programs, particularly OSHA's program of alliances and Voluntary Protection Programs (VPP). The resources devoted to these programs increased and the number of voluntary programs increased significantly. Under the Obama administration, the emphasis has changed to focus more on strengthening enforcement programs. Voluntary programs still are part of the OSHA program but are viewed as supplemental to, not a replacement for, enforcement. In FY 2011, OSHA formed 22 new alliances, down from 27 in FY 2010 and 64 in FY 2009, bringing the total number of active alliances to 311, down from 341 in FY 2010. In OSHA's Voluntary Protection Program (VPP), 101 new VPP sites were approved in FY 2011, compared with 174 new approvals in FY 2010, bringing the number of federal OSHA VPP sites to 1,733.²⁴

The current OSHA law still does not cover 8.1 million state and local government employees in 25 states and the District of Columbia, although these workers encounter the same hazards as private-sector workers and in many states have a higher rate of injury than their private-sector counterparts. In 2009, the state of Illinois adopted, and federal OSHA approved, a state plan extending full OSHA coverage to the 724,000 public employees in the state.

Similarly, millions who work in the transportation and agriculture industries and at Department of Energy contract facilities lack full protection under the OSH Act. These workers theoretically are covered by other laws, which in practice have failed to provide equivalent protection. The void in protection is particularly serious for flight attendants. The Federal Aviation Administration (FAA) has claimed legal jurisdiction for airline cabin crews but has refused to issue necessary workplace safety rules. Efforts by the FAA and OSHA initiated in 2000 to resolve this situation were jettisoned by the Bush administration, which instead announced a program limited to voluntary activities to be overseen by the FAA.

The FAA Modernization and Reform Act of 2012 (PL 112-95) revived this memorandum of understanding. The act, signed into law on Feb. 14, 2012, calls for the FAA, in consultation with OSHA, to develop milestones for completing the work initiated under the 2000 memorandum, and to develop a policy statement to set forth the circumstances in which OSHA requirements

²⁴ OSHA Directorate of Cooperative and State Programs.

may be applied to aircraft crew members. Hopefully this effort will result in airline cabin crews finally having legal enforceable regulations put in place to protect them from significant safety and health hazards in their work.

REGULATORY ACTION

During the eight years of the Bush administration, rulemaking at OSHA virtually ground to a halt. In its first term, the administration repealed OSHA's ergonomics standard and withdrew dozens of safety and health rules from the regulatory agenda, ceasing all action on the development of these important safety and health measures. During its second term, three significant final OSHA standards were issued—a standard on hexavalent chromium, an electrical safety standard and a rule requiring that employers pay for personal protective equipment (PPE) required by OSHA standards. The hexavalent chromium and PPE payment rules were only issued as a result of litigation brought by unions and other groups.

Other standards on OSHA's regulatory agenda languished or were significantly delayed, including rules on silica, beryllium, global harmonization for hazard communication and cranes and derricks. The Bush administration also declined to take action on other important hazards, denying union petitions for rules to protect workers from pandemic influenza, combustible dust and the chemical diacetyl, a butter flavoring agent used in microwave popcorn and other foods, that has caused a rare and fatal lung disease (bronchitis obliterans) in exposed workers.

Under the Obama administration, OSHA set an ambitious agenda to develop and issue much-needed standards to protect workers from life-threatening safety and health hazards, focusing first on rules that languished under the Bush administration. New standards to protect workers from silica dust, combustible dust and infectious disease and to require employers to set up safety and health programs to find and fix hazards were top priorities.

In August 2010, OSHA completed the cranes and derricks in construction rule that was recommended by a negotiated rulemaking committee in 2004. In May 2011, OSHA finalized the standard on general working conditions in shipyard employment that had been proposed in 2007. And most recently, on March 26, 2012, OSHA finalized the standard on global harmonization that was proposed in 2009. The new Hazard Communication—Globally Harmonized System (GHS) rule adopts an international hazard identification and warning system for hazardous substances, so that U.S. labels and data sheets contain similar information as those in other countries. The rule not only will assist chemical manufacturers who market their products globally, it will provide workers more understandable and consistent information on hazardous substances. Despite attempts by industry groups to weaken the new standard, the rule maintains the requirement for manufacturers to provide warnings on combustible dust and other hazards that were covered under the original hazard communication standard, but are not yet covered by the global system. In addition, the new rule retains the requirement to include recommended ACGIH exposure limits for hazardous substances on the MSDS, in addition to OSHA permissible exposure limits.

With the election of a Republican majority in the U.S. House of Representatives in 2010, the regulatory environment has become extremely hostile. Business opposition to regulations has intensified and Republicans in Congress have launched a major assault on regulations, trying to block the development and issuance of new rules and roll back existing protections, claiming that these regulations kill jobs. Business groups have identified OSHA rules on injury and illness prevention programs, silica and MSD injury recording as the ones of greatest concern that they are seeking to stop.

In addition to seeking legislation or budget riders to stop these and other rules, business groups also have actively intervened with the Office of Management and Budget (OMB), the gatekeeper on federal regulatory actions, and the Small Business Administration (SBA), which reviews rules for small business impacts, seeking to stop or weaken safety and health protections.

In the face of this intense assault, many OSHA safety and health rules have been delayed. The most significant delay involves the development and promulgation of OSHA's silica dust standard, which is urgently needed to protect workers from silicosis, lung cancer and other diseases. The current rulemaking to protect workers from silica was initiated in 1997, nearly 15 years ago, but years of foot dragging by the Bush administration stalled progress on this rule.

Under the Obama administration, DOL made the promulgation of a new silica standard a top regulatory priority and worked to move this rule forward. In February 2011, OSHA submitted the draft proposed rule to OMB for review under Executive Order 12866. Under that order, OMB was supposed to complete its review within 120 days. But more than a year later, the draft proposed silica rule still is being held by OMB, with no indication as to when the review will be completed and the proposed rule issued.

The development of OSHA rules on injury and illness prevention programs, combustible dust and other hazards also have been delayed. The draft injury and illness prevention program rule was slated to undergo a review by a small business panel, as required by the Small Business Regulatory Enforcement Fairness Act (SBREFA), first in January 2011. That review was delayed for a year, and finally initiated in January 2012. But due to business opposition, the review of the rule again has been suspended, with no indication as to when it will occur.

OSHA's rule to require employers to identify which recorded injuries and illnesses that are musculoskeletal disorders (MSDs) by checking a box on the OSHA 300 log also has been delayed and sidetracked. This is a provision that was included in the 2000 OSHA recordkeeping rule that was repealed by the Bush administration. The purpose of this rule is to enhance information about the extent and nature of musculoskeletal disorders (MSDs). It is similar to a requirement that existed for 30 years prior to the repeal action by the Bush administration. This MSD injury reporting rule was scheduled for final promulgation in February 2011, but was delayed by the Obama administration due to objections from the business community to seek further input from small businesses, which was done during the summer of 2011. In December 2011, business groups and Republicans succeeded in winning a rider in OSHA's FY 2012 funding bill that prohibits OSHA from acting on this rule during the current fiscal year.

In an attempt to strengthen protections for workers exposed to noise, in October 2010 OSHA proposed to change the interpretation of its existing noise standard in enforcement cases to require feasible engineering controls to be the primary method of control, as is the case for all OSHA standards. In response to a firestorm of opposition from employers, OSHA withdrew this proposal, and now is seeking input from noise experts, NIOSH and interested parties on developing a more comprehensive strategy to address noise and occupational hearing loss.

In response to business concerns about the impact of regulations, the Obama administration has directed regulatory agencies to ensure the impacts of rules on businesses, particularly small businesses, are fully assessed, and to review the impacts of existing rules on businesses. In 2011, the administration issued a new executive order (EO 13563) which, among other things, ordered agencies to conduct a review of existing rules to identify which rules should be modified, updated or withdrawn. Under a separate executive order (EO 13579), this requirement for retrospective review was extended to independent agencies, and these agencies were encouraged to follow the regulatory analysis requirements of EO 12866, from which they are currently excluded.

And in March 2012, OMB issued another directive to the agencies, requiring them to consider the cumulative impacts of their regulations on businesses, and to identify opportunities to streamline and harmonize existing and future regulations.

All of these additional requirements focus almost entirely on the impact of rules on businesses and regulated entities. There is no consideration of how delays added by these new analytical requirements or streamlining of rules will affect the protection of the public or workers.

Even without these new additional requirements, the OSHA standard-setting process is exceedingly slow. A new report on the OSHA standard-setting process prepared by the Government Accountability Office found that the average time for setting OSHA standards during the years 1981–2010 was more than 17 years—and in one case took 19 years.²⁵ The report, however, did not include those standards, such as silica, that are still in the process, which have taken much longer and if included would increase the average time for the promulgation of rules.

The delay in promulgating needed rules has real consequences and impacts on workers. According to OSHA's risk estimates, during the eight years it took to promulgate the cranes and derricks standard, 176 workers lost their lives from injuries the standard would have prevented. And for silica, there are an estimated 60 worker deaths each year from silicosis and lung cancer that would be prevented by a new silica rule; in the 14 years that the silica rule has been under development, 840 workers' lives have been lost by diseases that could have and should have been prevented.

²⁵ Workplace Safety and Health: Multiple Challenges Lengthen OSHA Standard Setting, GAO-12-330, April 2012, www.gao.gov/products/GAO-12-330.

STATUS OF KEY SAFETY AND HEALTH ISSUES

Due to eight years of inaction during the Bush administration, the country fell further and further behind in protecting workers' safety and health on the job. The list of problems that need attention is long. But there are several issues with broad-based impacts that are of particular concern and that need attention.

Ergonomics

Ergonomic injuries still are the biggest job-safety hazard faced by workers. In 2010, musculoskeletal disorders accounted for 30.5 percent of all serious workplace injuries.

During the Bush administration, efforts to address ergonomic hazards suffered huge setbacks. In March 2001, the OSHA ergonomics standard was repealed under the Congressional Review Act. Soon after, the administration also repealed the OSHA recordkeeping requirement to identify all musculoskeletal disorders on the workplace injury and illness log. The Bush administration's "comprehensive plan" to address ergonomic hazards announced in 2002 turned out to be a sham. The administration issued just four ergonomics guidelines—for the nursing home industry, retail grocery stores, poultry processing and the shipbuilding industry. During the Bush administration, federal OSHA issued a total of 20 general duty clause citations for ergonomic hazards, with only one ergonomic citation issued in 2005, no ergonomic citations issued in 2006 or 2007 and only three citations in 2008. The average penalty for these citations was \$1,874.

At the state level, efforts to adopt ergonomic protections also have been met with great industry opposition. In 2003, industry groups led a successful ballot initiative to overturn the Washington State ergonomics rule. Efforts to enact ergonomics legislation stalled in Connecticut and Minnesota. In Michigan, an ergonomics standard has been under development since 2002 and has moved forward slowly in the face of intense industry opposition. A draft rule with minimum requirements for assessing and addressing ergonomic risk factors and for providing training was approved and recommended by the MIOSHA Ergonomics Advisory Committee on Jan. 30, 2008. The draft rule was considered by the Occupational Health Standards Commission and the General Industry Safety Standards Commission and approved with some small modifications on Jan. 14, 2009. The proposed rule was undergoing a regulatory impact evaluation and public hearings were anticipated following the evaluation. However, in March 2011, the new Republican governor signed a bill into law that prohibits MIOSHA from issuing an ergonomics standard.

One area in which there has been significant progress on ergonomics is the adoption of safe patient handling legislation. Nine states now have safe patient handling requirements—Hawaii, Maryland, Minnesota, New Jersey, New York, Ohio, Rhode Island, Texas and Washington. A number of additional states are considering similar legislation.

The Obama administration has not developed specific initiatives to address ergonomic hazards. With the repeal of the 2000 ergonomics standard under the Congressional Review Act (CRA), OSHA is prohibited from issuing a new rule that is substantially the same as the original rule unless the new rule is authorized by Congress. In the current political environment, the chance of

such action is remote, and the development of even a different type of ergonomics regulation (e.g., a rule limited to high-risk industries) would be politically difficult. Enforcement against ergonomic hazards under OSHA's general duty clause remains extremely limited. According to OSHA's inspection database, under the Obama administration there have been only four federal OSHA enforcement cases with general duty clause citations for ergonomic hazards. There have been no efforts by the administration to develop a new comprehensive ergonomic enforcement strategy. OSHA recently announced a new national emphasis program for nursing and residential care facilities, which in part will focus on ergonomic hazards. But it remains to be seen whether OSHA will use the general duty clause to enforce against ergonomic hazards that are found or instead rely on hazard warnings, which carry no citation or penalty.

Pandemic Flu and Infectious Diseases

In recent years, significant attention has been focused on the potential for an influenza pandemic to have widespread serious consequences, resulting in the deaths of millions. These concerns became a reality in April 2009, when an outbreak of a novel H1N1 influenza virus was reported in Mexico, resulting in hundreds of deaths. The virus quickly spread to other countries, including the United States, and in June 2009, the WHO declared the outbreak had reached pandemic status.

A major issue of concern is the risk posed to health care workers and emergency responders exposed to a novel influenza virus, and other infectious agents as well, in the absence of an OSHA standard that would protect workers from exposure. Prior to the 2009 H1N1 outbreak, significant efforts were made to incorporate adequate worker protection measures into national and state pandemic influenza plans and to implement these measures in health care facilities. In 2005, AFSCME, along with the AFL-CIO and other labor organizations, petitioned OSHA to issue an emergency temporary standard to protect health care workers and other responders in the event of a pandemic. In 2007, OSHA denied the petition, claiming that an emergency standard was not warranted because "no human influenza virus exists at this time." Instead, the agency developed voluntary guidelines.

Despite years of planning, many health care facilities were not prepared for the outbreak of the 2009 H1N1 influenza pandemic. A survey by the AFL-CIO and unions released just weeks before the outbreak found more than one-third of the facilities were not adequately prepared to protect health care workers and that, due to this lack of readiness, 43 percent of the survey respondents thought most or some of their fellow workers would stay home.²⁶

The experience with the 2009–2010 novel H1N1 influenza pandemic confirmed many deficiencies in safety and health measures to protect health care workers from infectious diseases. Many health care employers had not trained workers about potential risks and appropriate protective measures prior to the outbreak, and failed to do so after the pandemic

²⁶ AFL-CIO, et al., *Healthcare Workers in Peril: Preparing to Protect Worker Health and Safety During Pandemic Influenza, A Union Survey Report*, April 16, 2009..

emerged. In many facilities, there were inadequate supplies of respirators and other protective equipment, and the proper equipment was not provided. Infection control procedures failed to separate infected patients from those who were not, particularly during the earlier stages of the outbreak.

In the absence of a federal OSHA infectious disease standard covering pandemic influenza, guidelines from CDC and OSHA provided the only worker protection measures. But these guidelines were voluntary, and were not followed by many facilities. In addition, a number of state health departments ignored the CDC guidelines and issued their own guidelines recommending reduced levels of protection for health care workers (i.e., surgical masks instead of NIOSH-approved respirators). These varying guidelines created great confusion.

The experience with the H1N1 pandemic influenza virus has underscored the need for mandatory measures to protect health care workers and other workers at high risk from exposures to infectious diseases. In May 2009, the California Occupational Safety and Health Standards Board adopted a Cal/OSHA standard on airborne transmissible diseases that became effective Aug. 5, 2009. The standard, spurred initially by concern about avian influenza, covers all airborne transmissible infectious diseases. It requires covered health care employers to develop infection control plans, to utilize engineering controls and appropriate personal protective equipment, to provide training for workers and to develop and implement isolation plans for identified or suspected cases.

In the Fall 2009 Regulatory Agenda, federal OSHA announced it was considering the development of an infectious disease standard to protect health care workers and other workers from such diseases as tuberculosis, SARS and influenza. In 2010, OSHA issued a request for information to seek input from the public on such a rule. The agency is analyzing the comments and information received in response to that request. In July 2011, OSHA held a stakeholder meeting to solicit feedback on potential program elements in an infectious disease standard and the agency plans to initiate a small business SBREFA review of a draft standard this spring.

Chemical Exposure Limits and Standards

Occupational exposures to toxic substances pose a significant risk to millions of American workers. According to NIOSH, occupational diseases caused by exposure to these substances are responsible for an estimated 50,000 deaths each year. One of OSHA's primary responsibilities is to set standards to protect workers from toxic substances. But since the OSH Act was enacted in 1970, OSHA has issued comprehensive health standards for only 29 substances. Most of these standards were set in the first two decades of the act. In recent years, regulations for chemical hazards have ground to a halt. The last toxic substance standard that was issued, on hexavalent chromium in 2006, came only as a result of a court order.

The OSHA permissible exposure limits (PELs) in place under 29 CFR 1910.1000 that govern exposure for approximately 400 toxic substances were adopted in 1971 and codified the ACGIH Threshold Limit Values from 1968. Most of these limits were set by ACGIH in the 1940s and 1950s, based upon the scientific evidence then available. Many chemicals now recognized as hazardous were not covered by the 1968 limits. In 1989 OSHA attempted to update these limits,

but the revised rule was overturned by the courts because the agency failed to make the risk and feasibility determinations for each chemical as required by the act. The result is that many serious chemical hazards are not regulated at all by federal OSHA or are subject to weak and out-of-date requirements. Some states, including California and Washington, have done a better job updating exposure limits, and as a result workers in those states have much better protection against exposure to toxic substances.

Several years ago, the American Industrial Hygiene Association (AIHA), major industry groups and labor attempted to reach agreement on a new approach to update permissible exposure limits through a shorter process that would allow quick adoption of new limits that were agreed upon by consensus. Unfortunately, those efforts stalled when small business groups objected to an expedited process that would apply to a large number of chemicals and the Bush administration refused to take a leadership role in developing and advancing an improved process for setting updated exposure limits.

In 2007, the state of California moved to establish a new procedure for updating chemical exposure limits that utilizes a two-part advisory committee process to recommend revised or new permissible exposure limits.²⁷ Under the process, Cal/OSHA develops a list of candidate substances for proposed consideration by an advisory committee. A Health Expert Advisory Committee (HEAC) reviews scientific evidence on identified substances and recommends a permissible exposure limit based upon health effects. A separate Feasibility Advisory Committee (FAC) then considers technical and economic feasibility issues to determine whether the health-based recommended PEL should be modified. Cal/OSHA maintains the responsibility to recommend draft PELs to the Cal/OSHA Standards Board that has the authority to adopt final limits.

This process was intended to expedite the adoption of revised PELs, but the process has been slower than expected. To date, the HEAC has recommended revised PELs for 16 substances, and the FAC has accepted or recommended an alternative for 10 of these recommendations.²⁸ The California Occupational Safety and Health Standards Board recently adopted new exposure limits for carbon disulfide, hydrogen fluoride, sulfuric acid and toluene that became effective on March 17, 2012. In an earlier process covering 2001 to 2004, Cal/OSHA did manage to issue 48 new or revised exposure limits, although this process, too, was very slow. Some of these recommended exposure limits were not adopted by the Standards Board until 2009.

The American Industrial Hygiene Association, unions and others have identified updating OSHA permissible exposure limits as a top priority for the Obama administration. OSHA Assistant Secretary Dr. David Michaels is exploring ways to update exposure limits and enhance worker protection from toxic chemicals. In 2010, OSHA held a meeting to seek input and ideas from experts, and in August 2010, the agency sought input from the public on strategies for reducing worker exposures to hazardous chemicals. But to date, no specific plans for action have been announced.

²⁷Policy and Procedure for the Advisory Committee Process for Permissible Exposure Limit (PEL) Updates to Title 8, Section 5155, Airborne Contaminants, California Division of Occupational Safety and Health, March 2007, www.dir.ca.gov/dosh/DoshReg/PEL-Process-3-07-final-draft.pdf.

²⁸ Cal/OSHA PEL Project Status List (as of March 2012), www.dir.ca.gov/dosh/DoshReg/5155meetings_2011.htm.

MINE SAFETY AND HEALTH

The April 5, 2010, explosion at the Massey Energy Upper Big Branch (UBB) mine in West Virginia killed 29 miners in the worst coal mine disaster in the United States in 40 years. The Upper Big Branch (UBB) disaster shocked and outraged the nation. It exposed serious problems at the Massey mine and deficiencies in mine safety laws and oversight.

Since the Upper Big Branch explosion, much of MSHA's activity has been focused on the UBB investigation and on identifying and correcting the deficiencies in MSHA's regulations, policies and programs that may have allowed the deadly conditions at the mine to continue.

MSHA's investigation of the UBB disaster found that the 29 miners who perished at UBB died in a massive coal dust explosion that started as a methane ignition.

According to MSHA's investigation report:

“The physical conditions that led to the explosion were the result of a series of basic safety violations at UBB and were entirely preventable. PCC/Massey disregarded the resulting hazards. While violations of particular safety standards led to the conditions that caused the explosion, the unlawful policies and practices implemented by PCC/Massey were the root cause of this tragedy. The evidence accumulated during the investigation demonstrates that PCC/Massey promoted and enforced a workplace culture that valued production over safety, including practices calculated to allow it to conduct mining operations in violation of the law.

“The investigation also revealed multiple examples of systematic, intentional, and aggressive efforts by PCC/Massey to avoid compliance with safety and health standards, and to thwart detection of that non-compliance by federal and state regulators.”²⁹

Following the investigation, MSHA imposed a fine of \$10.8 million for civil violations, the largest in the agency's history, for more than 369 citations and orders, including 21 flagrant violations.

The Department of Justice (DOJ) launched a criminal investigation of the UBB explosion, both of the company and company officials. In December 2011, DOJ announced a settlement in the criminal case against the company, with Alpha Natural Resources (which had purchased Massey Energy) agreeing to pay a total of \$209 million for penalties, payments to families and investments to improve mine safety.

²⁹ United States Department of Labor, Mine Safety and Health Administration, Coal Mine Safety and Health, Report of Investigation Fatal Underground Mine explosion, April 5, 2010, Upper Big Branch Mine-South, Montcoal, Raleigh County, West Virginia, ID No. 46-08436.

The criminal investigation of company officials has been conducted by the U.S. attorney for the Southern District of West Virginia. To date one of the supervisors has been convicted of making false statements and obstructing a federal investigation and sentenced to three years in jail. The mine superintendent has pleaded guilty to charges of felony conspiracy for impeding MSHA from enforcing the Mine Safety Act, is awaiting sentencing and is now cooperating with the government prosecutors. A third company official has been charged. The criminal investigation is ongoing and additional company officials may be charged.

The Massey mine disaster raised serious questions about the adequacy of MSHA oversight and mine safety law and regulations, particularly how a mine with such a significant history of violations could continue to operate.

An internal review of MSHA's activities prior to the UBB explosion in April 2010 found that inspectors failed to identify deficiencies in Massey's dust control program and ventilation and roof control plans, despite repeated inspections of the mine. Lack of inspector training, inexperience and management turnover were identified as factors that led to these failures.

Since the UBB explosion, MSHA has been moving on a number of fronts to address shortcomings and strengthen regulations and enforcement.

In September 2010 the agency issued an emergency temporary standard on rock dusting to reduce the risk of coal dust explosions, and finalized the rule in June 2011.

MSHA also has moved to strengthen its procedures for addressing patterns of violations (POV). New screening criteria have been put in place to identify mines that have a history of repeated violations. MSHA has notified 94 mines of potential patterns using these new criteria, directing them to evaluate conditions and come up with a plan for addressing hazards and violations. MSHA also has pursued the use of a new enforcement tool—seeking a federal court injunction—to enforce against a pattern of violations against another Massey mine. MSHA has proposed a new regulation to revise the pattern of violation procedures so violations that are not yet final orders are considered in determining a pattern.

In April 2010 MSHA launched a new program of “impact” inspections to target mines with poor safety records or at high risk of explosions. As of March 1, 2012, 420 impact inspections of mines had been conducted, resulting in a total of 7,420 citations, 732 orders and 26 safeguards, many of them for serious or life-threatening conditions.

In addition to strengthening enforcement programs, MSHA has been moving forward to develop and promulgate new mine safety and health standards. In addition to the standard on rock dusting, MSHA has finalized a new rule requiring operators to conduct pre-shift examinations of mines to identify hazards and correct them. In October 2010, MSHA issued a proposed rule to reduce exposures to coal dust to reduce the risk of black lung, and in August 2011 proposed a rule to require proximity detection systems on continuous mining machines in underground coal mines. Both of these rules are scheduled to be finalized this year, and hopefully will be issued. But opposition by industry could delay them. Other MSHA rules, including a new standard on

silica and a rule on safety and health management programs, have been delayed and have not yet been proposed.

THE JOB SAFETY BUDGET

Funding for the nation's job safety and health programs historically has been limited, particularly when compared with the scope of responsibilities of the job safety agencies and the extent of the problems that need to be addressed. During the Bush administration there was a decrease in funding and staffing for the agencies, further limiting their capacity. The Obama administration has made funding for the job safety agencies, particularly the enforcement programs, a priority and has moved to restore the agencies to their FY 2001 levels of operation. But the Republican majority in the House of Representatives has targeted the budgets of regulatory and enforcement programs, including OSHA, threatening future funding for these agencies.

During the first year of the Obama administration, OSHA and MSHA received significant increases in their budgets. For FY 2010, the omnibus appropriations bill, enacted by the Democratic-controlled Congress, provided \$558.6 million in funding for OSHA, \$357.3 million for MSHA and \$302.4 million for NIOSH. This compared with FY 2009 levels of \$513 million for OSHA, \$347 million for MSHA and \$290 million for NIOSH.

Under the FY 2010 appropriation, OSHA's staffing was increased to a total of 2,335 positions, compared with 2,118 positions during the final year of the Bush administration. The biggest increase was in OSHA enforcement staffing, which was increased by 167 positions. The OSHA FY 2010 budget also included a \$10 million increase in funding for the state OSHA plans, which had seen their funding frozen at FY 2001 levels under the Bush administration.

But since that year, funding for OSHA largely has been static. The Obama administration has proposed increases in the OSHA budget, particularly for enforcement and standard setting, but the Republican Congress has rejected these proposals and instead has tried to cut the enforcement budget and shift funding to voluntary programs. The administration and the Democratic-controlled Senate have successfully opposed these efforts to cut the OSHA budget.

For FY 2012, OSHA was funded at a level of \$564.8 million, with the enforcement and standards programs funded at similar levels to FY 2010. The only increases provided were for federal and state compliance assistance.

For FY 2013 President Obama once again has requested an increase in OSHA's budget, with the increase focused on OSHA's whistleblower program. But to date, there has been no congressional action on this year's request.

For FY 2011 and FY 2012, MSHA received increases in its budget after the 2010 explosion at the Upper Big Branch mine in West Virginia that killed 29 coal miners. These increases were directed at the enforcement program, largely to reduce a huge backlog in contested enforcement cases that resulted from stepped-up enforcement after the 2006 Sago mine disaster.

In FY 2011 MSHA received \$361.8 million in funding, and in FY 2012 the funding level was increased to \$372.5 million. For FY 2013, the president has requested \$371.9 million in funding for MSHA.

Unfortunately, NIOSH has not received the same ongoing support as OSHA and MSHA for funding under the Obama administration. While increased funding for NIOSH was sought and received in FY 2010 and FY 2011, with the agency receiving \$302.4 million in FY 2010 and \$305.9 million in FY 2011, in the past two budget proposals the administration has proposed to cut NIOSH's funding.

Specifically, in FY 2012, the Obama administration proposed \$48 million in cuts for NIOSH through the elimination of programs for agriculture, fishing and logging safety and health research, and the Educational Resource Center program to train occupational safety and health professionals. As a result of strong opposition to these cuts by the entire safety and health community and labor and business groups, Congress rejected this proposal and provided \$293.6 million in funding for NIOSH in FY 2012. Despite the strong opposition to these proposed cuts, and rejection by Congress, the Obama administration has proposed these same cuts in the NIOSH budget for FY 2013.

Given the strong push by Republicans to cut government spending, and with Democrats now focused on deficit reduction as well, it is unlikely there will be any significant increases in funding for government programs in FY 2013 or in coming years, and many agencies will face the threat of significant reductions in funding.

SAFETY AND HEALTH LEGISLATION

During the 110th and 111th Congresses, with the Democrats in control of both the House and the Senate, there was enhanced oversight and legislative activity on job safety and health. The Massey mining disaster and other safety and health tragedies in 2010 heightened attention on the mining industry and other dangerous industries and spurred legislative activity.

Legislation to strengthen the Occupational Safety and Health Act—the Protecting America's Workers Act—was introduced and moved forward. Bills to mandate OSHA to issue a combustible dust standard, to strengthen state plan oversight, to provide OSHA shut-down authority to address imminent dangers and to strengthen whistleblower protections also were actively considered.

After the April 2010 explosion at the Upper Big Branch mine that killed 29 miners, congressional oversight of and attention to mine safety intensified and efforts renewed to enact legislation to strengthen the Mine Safety and Health Act. The Robert C. Byrd Miner Safety and Health Act (H.R. 5663), and a companion bill in the Senate (S. 3671), proposed to revamp the provisions for patterns of violations, enhance criminal and civil penalties, provide MSHA subpoena power and other enforcement tools and strengthen miners' whistleblower protections. Unfortunately, none of these measures to strengthen mine safety and occupational safety and health protections was enacted into law.

The only legislative success on safety and health-related legislation in the 111th Congress came with the passage of the James Zadroga 9/11 Health and Compensation Act (H.R. 847). This legislation, first introduced in 2004, established a comprehensive health monitoring, treatment and compensation program for the tens of thousands of 9/11 responders and others who now are sick as a result of exposures at the World Trade Center. The legislation was passed in the last hours of the last day of the 111th Congress. On Jan. 2, 2011, President Obama signed the bill and the James Zadroga 9/11 Health and Compensation Act became law.

With the Republicans in the majority in the House of Representatives, the political environment for consideration of any worker protection legislation in the 112th Congress has changed dramatically. Major workplace safety and health bills—the Protecting America’s Workers Act (H.R. 190, S. 1166), the Robert C. Byrd Mine and Workplace Safety and Health Act (S. 153) and the Robert C. Byrd Mine Safety Protection Act (H.R. 1579) have been reintroduced, but prospects for action are slim.

Despite recent major catastrophes, including the Upper Big Branch mine disaster and the BP Gulf Coast oil well explosion and spill, Republicans in both the House and Senate are pushing to block new protections, roll back existing measures and to radically alter the regulatory system, making it even more difficult for agencies to protect workers and the public. Workplace safety and health rules, environmental and consumer protections, health care regulations and financial safeguards are all major targets.

Well over a hundred hearings have been conducted by House committees on the regulatory activities of government agencies. Republicans have proposed to slash the budgets of OSHA, EPA and other regulatory agencies and to block new rules through budget riders or repeal them under the Congressional Review Act.

A wide range of “regulatory reform” bills is being pushed in the House and the Senate to make it more difficult, if not impossible, for agencies to issue needed safeguards. The Regulations from the Executive in Need of Scrutiny Act (REINS Act, H.R. 10, S. 299) would set up Congress as the gatekeeper on regulations. Politics, not scientific judgment or expertise of agencies, would dictate all regulatory actions. The Regulatory Accountability Act (RAA, H.R. 3010, S. 1606) would upend 40 years of law to make costs to business, not the protection of workers and the public, the primary consideration. The Regulatory Flexibility Improvements Act (H.R. 527, S. 1983) would add a host of new analytical requirements to the regulatory process, further delaying needed safeguards. And the Regulatory Freeze for Jobs Act (H.R. 4078) would bar agencies from any new significant regulatory actions (proposed or final) until the employment rate falls below 6.0 percent.

Many of the bills have passed the House, but they are unlikely to become law in this Congress. In the Senate, which remains under Democratic control, Republicans have offered some of these bills as amendments to other legislation. But to date these efforts have failed. In addition, the Obama administration opposes these bills and has threatened to veto them.

Republicans have cloaked this crusade against regulations as a jobs initiative, claiming regulations are hampering investment and killing jobs. But there is little data to support this claim, and many studies show the benefits of regulations far outweigh their costs.³⁰ Rather, it appears these efforts are an attempt to roll back 40 years of progress and to fundamentally alter the government's role in protecting the public and stopping corporate abuses.

WHAT NEEDS TO BE DONE

Very simply, workers need more job safety and health protection. Eight years of inaction and neglect by the Bush administration on major hazards and increased emphasis on employer assistance and voluntary compliance left workers' safety and health in serious danger. The Obama administration has restored OSHA and MSHA to their mission to protect workers, and the new leaders at the agencies are charting a new course and moving forward.

But much work needs to be done. Both OSHA and MSHA need to move quickly and aggressively to develop and issue new standards on serious hazards including silica, combustible dust, infectious diseases and rules to require workplace injury and illnesses prevention programs. Enforcement must be ramped up, particularly for employers who repeatedly violate the law. Funding and staffing at the agencies should be increased to provide for enhanced oversight of worksites and timely and effective enforcement.

The widespread problem of injury underreporting must be addressed and employer policies and practices that discourage the reporting of injuries through discipline or other means must be prohibited. OSHA needs to keep up with new hazards that face workers as workplaces and the nature of work change.

The serious safety and health problems and increased risk of fatalities and injuries faced by Hispanic and immigrant workers must be given increased attention.

At MSHA, in the wake of the Massey mining disaster, there must be increased attention on mines with a record of repeated violations and stronger enforcement action against mines with patterns of violations. Tightening permissible exposures for coal dust should be a priority to protect miners from black lung disease, which is again on the rise.

Congress must strengthen the job safety laws to prevent tragedies like the Massey mining disaster and Tesoro Refinery explosions in the future.

Improvements in the Mine Safety and Health Act are needed to give MSHA more authority to shut down dangerous mines and to enhance enforcement against repeated violators.

³⁰For example, see Office of Management and Budget, Office of Information and Regulatory Affairs, "Draft 2012 Report to Congress on the Benefits and Costs of Federal Regulations and Unfunded Mandates on State, Local, and Tribal Entities," Washington, D.C., March 2012, www.whitehouse.gov/sites/default/files/omb/oira/draft_2012_cost_benefit_report.pdf, and Shapiro, Isaac and John Irons, Regulations, Employment and the Economy: Fears of Job Loss are Overblown, Economic Policy Institute Briefing Paper #305, April 2011.

The Occupational Safety and Health Act is now more than 40 years old and out of date. Congress should pass the Protecting America's Workers Act to extend the law's coverage to workers currently excluded, strengthen civil and criminal penalties for violations, enhance anti-discrimination protections and strengthen the rights of workers, unions and victims.

Rather than move forward, the new Republican majority in Congress is threatening to turn back the clock, block new protections and slash funding for the job safety agencies. These efforts to roll back and weaken worker protections must be stopped.

The nation must renew the commitment to protect workers from injury, disease and death and make this a high priority. We must demand that employers meet their responsibilities to protect workers and hold them accountable if they put workers in danger. Only then can the promise of safe jobs for all of America's workers be fulfilled.

NATIONAL SAFETY AND HEALTH OVERVIEW

Workplace Fatalities 1970–2007 ^{1, 2}

(Employment-Based Fatality Rates)

Year	Work Deaths	Employment (000) ³	Fatality Rate ⁴
1970	13,800	77,700	18
1971	13,700	78,500	17
1972	14,000	81,300	17
1973	14,300	84,300	17
1974	13,500	86,200	16
1975	13,000	85,200	15
1976	12,500	88,100	14
1977	12,900	91,500	14
1978	13,100	95,500	14
1979	13,000	98,300	13
1980	13,200	98,800	13
1981	12,500	99,800	13
1982	11,900	98,800	12
1983	11,700	100,100	12
1984	11,500	104,300	11
1985	11,500	106,400	11
1986	11,100	108,900	10
1987	11,300	111,700	10
1988	10,800	114,300	9
1989	10,400	116,700	9
1990	10,500	117,400	9
1991	9,900	116,400	9
1992 ²	6,217	117,000	5.2
1993	6,331	118,700	5.2
1994	6,632	122,400	5.3
1995	6,275	126,200	4.9
1996	6,202	127,997	4.8
1997	6,238	130,810	4.8
1998	6,055	132,684	4.5
1999	6,054	134,666	4.5
2000	5,920	136,377	4.3
2001	5,915 ⁵	136,252	4.3
2002	5,534	137,700	4.0
2003	5,575	138,928	4.0
2004	5,764	140,411	4.1
2005	5,734	142,894	4.0
2006	5,840	145,501	4.0
2007	5,657	147,215	3.8

¹ Fatality information for 1971 to 1991 from National Safety Council Accident Facts, 1994.

² Fatality information for 1992 to 2007 is from the Bureau of Labor Statistics, Census of Fatal Occupational Injuries. In 1994, the National Safety Council changed its reporting method for workplace fatalities and adopted the BLS count. The earlier NSC numbers are based on an estimate; the BLS numbers are based on an actual census.

³ Employment is an annual average of employed civilians 16 years of age and older from the Current Population Survey, adjusted to include data for resident and armed forces from the Department of Defense.

⁴ Deaths per 100,000 workers are based on annual average of employed civilians 16 years of age and older from 1992 to 2007. In 2008, BLS switched from an employment-based fatality rate to an hours-based fatality rate calculation.

⁵ Excludes fatalities from the events of September 11, 2001.

Workplace Fatalities 2006–2010 ¹

(Hours-Based Fatality Rates)

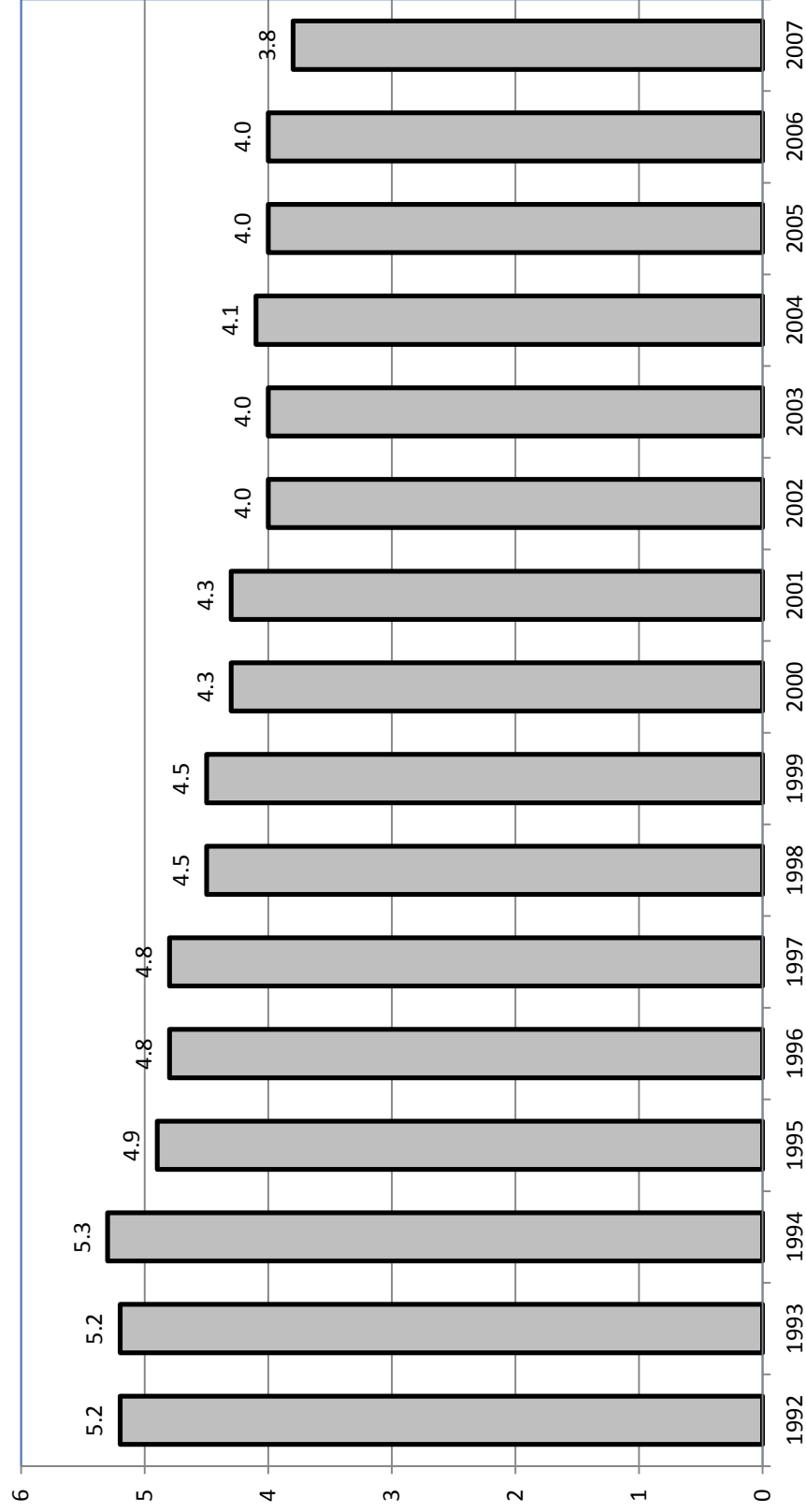
Year	Work Deaths	Total Hours Worked (Millions) ²	Fatality Rate ³
2006	5,840	271,815	4.2
2007	5,657	275,043	4.0
2008	5,214	271,958	3.7
2009	4,551	254,771	3.5
2010	4,690	255,948	3.6

¹Fatality information is from the U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

²The total hours worked figures are annual average estimates of total at work multiplied by average hours for civilians, 16 years of age and older, from the Current Population Survey (CPS).

³Deaths per 100,000 workers. In 2008, CFOI switched to an hours-based fatality rate calculation from an employment-based calculation used from 1992 to 2007. Fatality rates for 2006 and 2007 were calculated by CFOI using both approaches during the transition to hours-based rates. Hours-based fatality rates should not be compared directly with the employment-based rates CFOI calculated for 1992 to 2007.

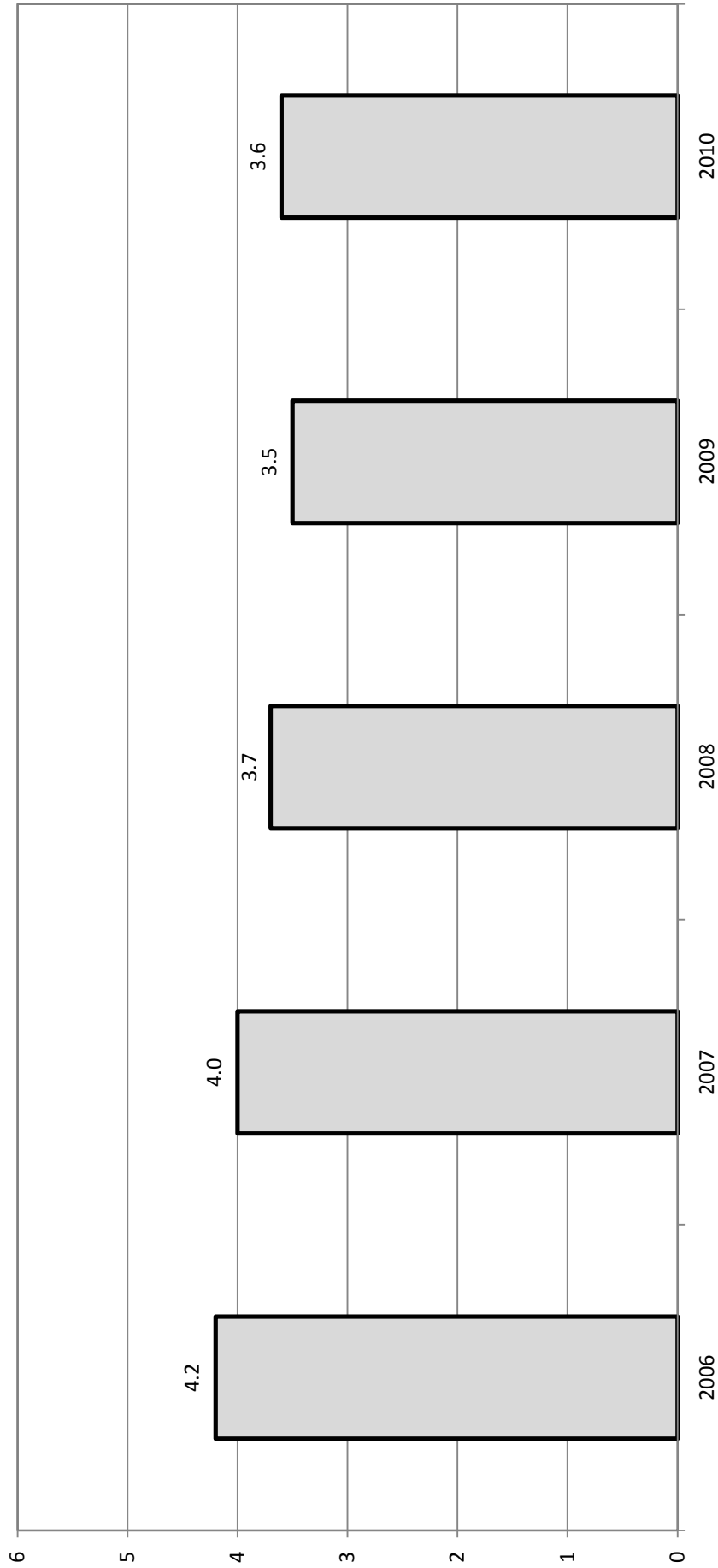
Rate of Fatal Work Injuries Per 100,000 Workers, 1992–2007 ¹ (Employment-Based Rates)



Source: U.S. Department of Labor, Bureau of Labor Statistics, Current Population Survey, Census of Fatal Occupational Injuries, U.S. Bureau of the Census and U.S. Department of Defense.

¹ Fatality rate is an employment-based calculation using employment figures that are annual average estimates of employed civilians, 16 years of age and older, from the Current Population Survey (CPS). In 2008, CFOI switched to an hours-based fatality rate calculation. Employment-based fatality rates should not be compared directly with hours-based rates.

Rate of Fatal Work Injuries per 100,000 Workers, 2006–2010 ¹ **(Hours-Based Rates)**



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

¹Fatality rate is an hours-based calculation using total hours worked figures that are annual average estimates of total at work multiplied by average hours for civilians, 16 years of age and older, from the Current Population Survey (CPS). Hours-based fatality rates should not be compared directly with the employment-based rates CFOI calculated for 1992 to 2007.

Workplace Fatality Rates by Industry Sector, 1970–2002^{1,2}

Year	All Ind.	Mfg.	Const.	Mining	Gov't	Agri.	Trans/Util.	Ret. Trade	Service	Finance
1970	18.0	9	69	100	13	64	N/A	N/A	N/A	N/A
1971	17.0	9	68	83	13	63	N/A	N/A	N/A	N/A
1972	17.0	9	68	100	13	58	N/A	N/A	N/A	N/A
1973	17.0	9	56	83	14	58	38	8	11	N/A
1974	16.0	8	53	71	13	54	35	7	10	N/A
1975	15.0	9	52	63	12	58	33	7	10	N/A
1976	14.0	9	45	63	11	54	31	7	9	N/A
1977	14.0	9	47	63	11	51	32	6	8	N/A
1978	14.0	9	48	56	11	52	29	7	7	N/A
1979	13.0	8	46	56	10	54	30	6	8	N/A
1980	13.0	8	45	50	11	56	28	6	7	N/A
1981	13.0	7	42	55	10	54	31	5	7	N/A
1982	12.0	6	40	50	11	52	26	5	6	N/A
1983	12.0	6	39	50	10	52	28	5	7	N/A
1984	11.0	6	39	50	9	49	29	5	7	N/A
1985	11.0	6	40	40	8	49	27	5	6	N/A
1986	10.0	5	37	38	8	55	29	4	5	N/A
1987	10.0	5	33	38	9	53	26	5	6	N/A
1988	10.0	6	34	38	9	48	26	4	5	N/A
1989	9.0	6	32	43	10	40	25	4	5	N/A
1990	9.0	5	33	43	10	42	20	4	4	N/A
1991	8.0	4	31	43	11	44	18	3	4	N/A
1992	5.2	4	14	27	4	24	13	4	2	2
1993	5.2	4	14	26	3	26	13	4	2	2
1994	5.3	4	15	27	3	24	13	4	3	1
1995	4.9	3	15	25	4	22	12	3	2	2
1996	4.8	3.5	13.9	26.8	3.0	22.2	13.1	3.1	2.2	1.5
1997	4.8	3.6	14.1	25.0	3.2	23.4	13.2	3.0	2.0	1.2
1998	4.5	3.3	14.5	23.6	3.0	23.3	11.8	2.6	2.0	1.1
1999	4.5	3.6	14.0	21.5	2.8	24.1	12.7	2.3	1.9	1.2
2000	4.3	3.3	12.9	30.0	2.8	20.9	11.8	2.7	2.0	0.9
2001	4.3	3.2	13.3	30.0	3.1	22.8	11.2	2.4	1.9	1.0
2002	4.0	3.1	12.2	23.5	2.7	22.7	11.3	2.1	1.7	1.0

¹Data for 1970–1991 is from the National Safety Council, Accident Facts, 1994. Fatality information for 1992–2002 is from the Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI). In 1994, the National Safety Council changed its reporting method for workplace fatalities and adopted the BLS count. The earlier NSC numbers are based on an estimate; the BLS numbers are based on an actual census. Beginning with 2003, CFOI began using the North American Industry Classification (NAICS) for industries. Prior to 2003, CFOI used the Standard Industrial Classification (SIC) System. The substantial differences between these systems result in breaks in series for industry data.

² Deaths per 100,000 workers.

Workplace Fatality Rates by Industry Sector, 2003–2007 ^{1,2}

(Employment-Based Rates)

Industry Sector	2003	2004	2005	2006	2007
<u>All Industries</u>	4.0	4.1	4.0	4.0	3.8
Agriculture, Forestry, Fishing and Hunting	31.2	30.5	32.5	30.0	27.9
Mining	26.9	28.3	25.6	28.1	25.1
Construction	11.7	12.0	11.1	10.9	10.5
Manufacturing	2.5	2.8	2.4	2.8	2.5
Wholesale Trade	4.2	4.5	4.6	4.9	4.7
Retail Trade	2.1	2.3	2.4	2.2	2.1
Transportation and Warehousing	17.5	18.0	17.7	16.8	16.9
Utilities	3.7	6.1	3.6	6.3	4.0
Information	1.8	1.7	2.0	2.0	2.3
Finance, Insurance, Real Estate	1.4	1.2	1.0	1.2	1.2
Professional and Administrative	3.3	3.3	3.5	3.2	3.1
Educational and Health Services	0.8	0.8	0.8	0.9	0.7
Leisure and Hospitality	2.4	2.2	1.8	2.3	2.2
Other Services, except Public Administration	2.8	3.0	3.0	2.6	2.5
Government	2.5	2.5	2.4	2.4	2.5

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries.

¹Deaths per 100,000 workers.

²Fatality rate is an employment-based calculation using employment figures that are annual average estimates of employed civilians, 16 years of age and older, from the Current Population Survey (CPS). In 2008, CFOI switched to an hours-based fatality rate calculation. Employment-based fatality rates should not be compared directly with hours-based rates.

Note: Beginning with the 2003 reference year, both CFOI and the Survey of Occupational Injuries and Illnesses began using the 2002 North American Industry Classification System (NAICS) for industries. Prior to 2003, the surveys used the Standard Industrial Classification (SIC) system. The substantial differences between these systems result in breaks in series for industry data.

Workplace Fatality Rates by Industry Sector, 2006–2010 ^{1,2}

(Hours-Based Rates)

Industry Sector	2006	2007	2008	2009	2010
<u>All Industries</u>	4.2	4.0	3.7	3.5	3.6
Agriculture, Forestry, Fishing and Hunting	29.0	27.0	30.4	27.2	27.9
Mining	23.5	21.4	18.1	12.4	19.8
Construction	11.2	10.8	9.7	9.9	9.8
Manufacturing	2.7	2.4	2.5	2.3	2.3
Wholesale Trade	4.7	4.5	4.4	5.0	4.9
Retail Trade	2.4	2.4	2.0	2.2	2.2
Transportation and Warehousing	16.3	16.5	14.9	13.3	13.7
Utilities	6.0	5.7	3.9	1.7	2.8
Information	1.9	2.3	1.5	1.1	1.5
Finance, Insurance, Real Estate	1.3	1.2	1.1	1.2	1.3
Professional and Administrative	3.3	3.3	2.8	3.1	2.6
Educational and Health Services	1.0	0.8	0.7	0.8	0.9
Leisure and Hospitality	2.6	2.5	2.2	2.2	2.3
Other Services, Except Public Administration	2.8	2.7	2.6	2.8	3.0
Government	2.4	2.3	2.4	1.9	2.2

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries.

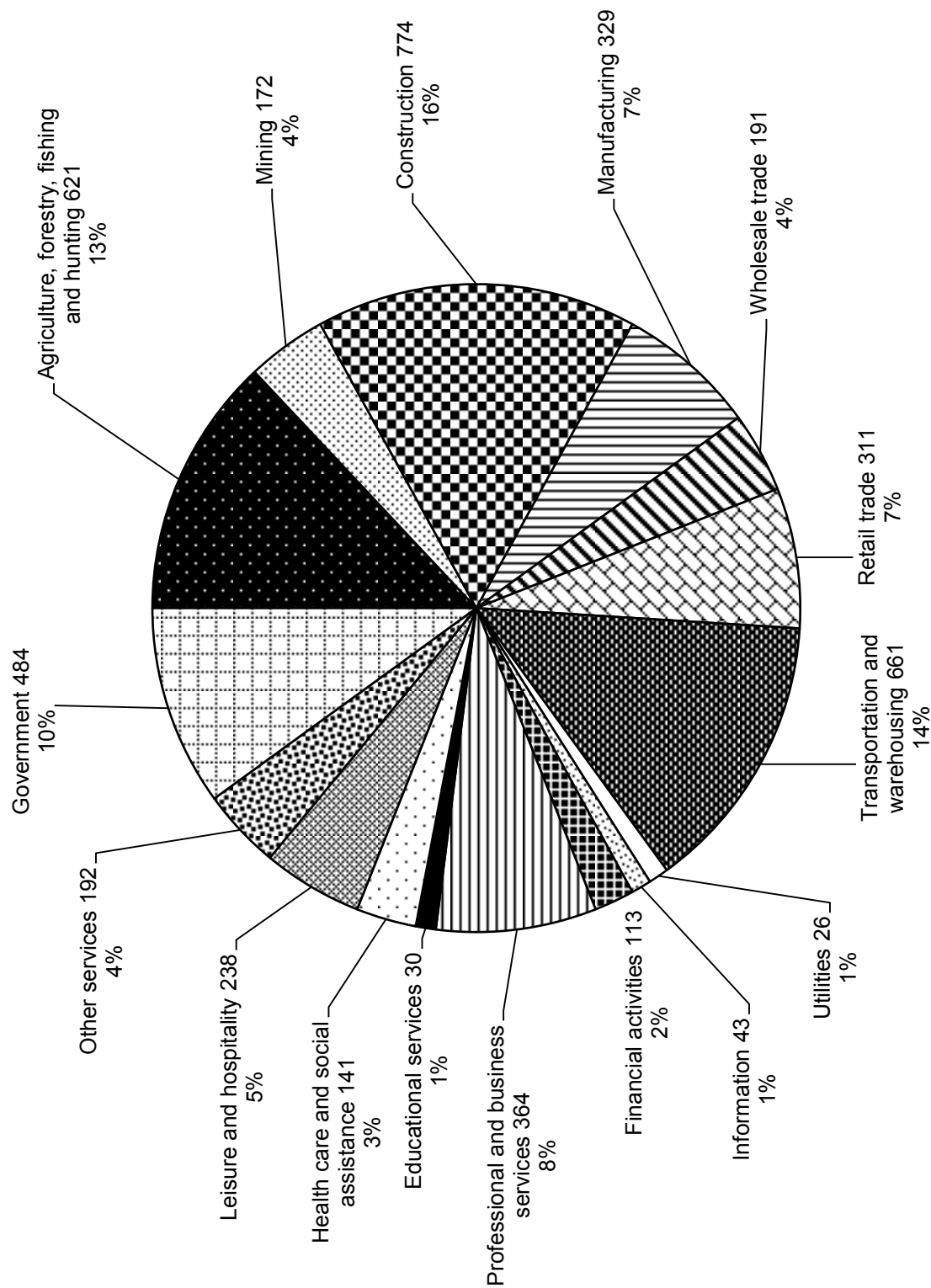
¹Deaths per 100,000 workers.

²In 2008, CFOI switched to an hours-based fatality rate calculation from an employment-based calculation. Fatality rates for 2006 and 2007 were calculated using both approaches during the transition to hours-based rates. Fatality rate is an hours-based calculation using total hours worked figures that are annual average estimates of total at work multiplied by average hours for civilians, 16 years of age and older, from the Current Population Survey (CPS). Hours-based fatality rates should not be compared directly with employment-based rates that CFOI calculated for 1992 to 2007.

Occupational Fatalities by Industry, 2010

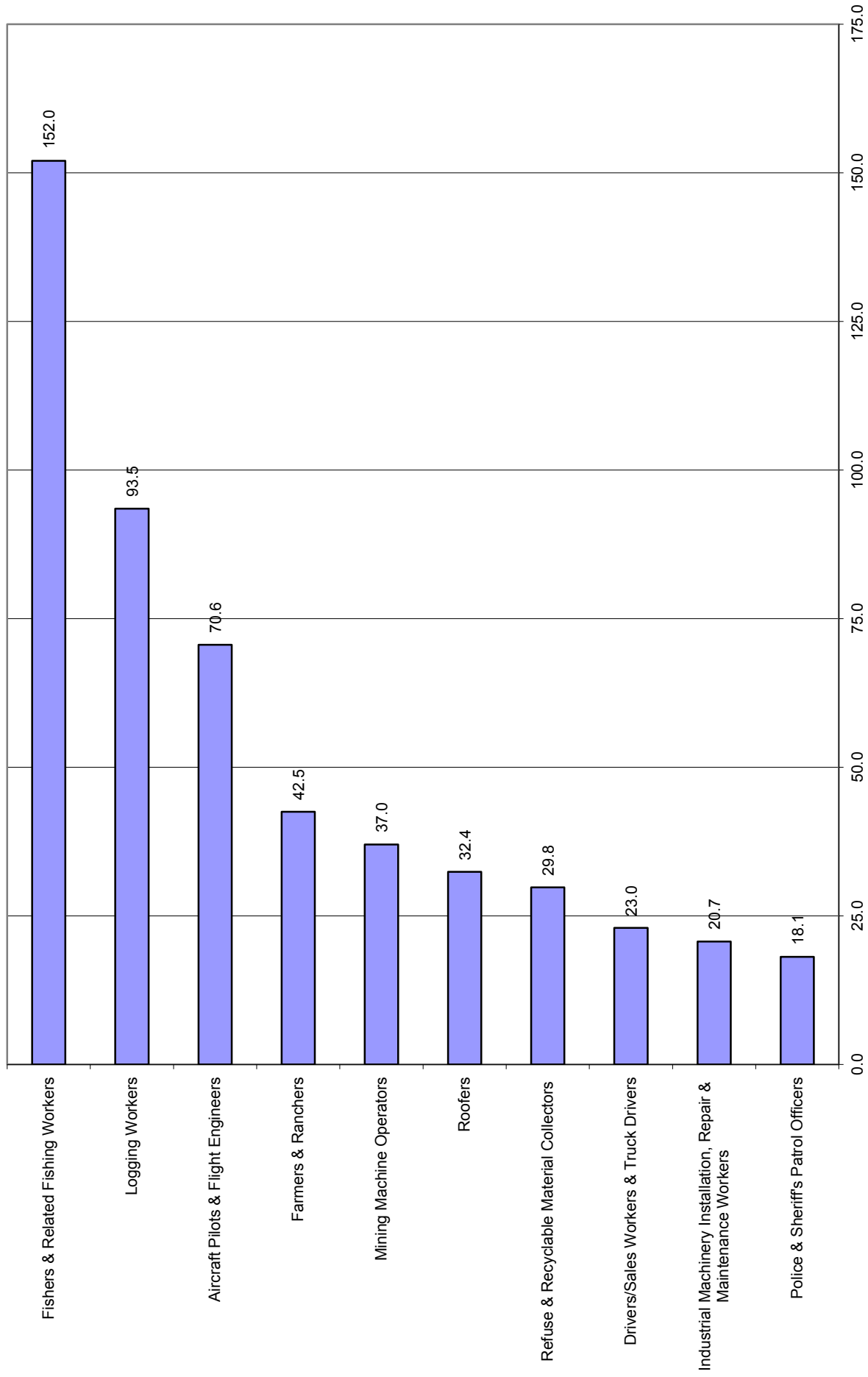
Private Sector, Government and Self Employed

(Total Fatalities 4,690)



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2010.

Selected Occupations With High Fatality Rates, 2010 (Per 100,000 Workers) National Fatality Rate = 3.6



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2010.

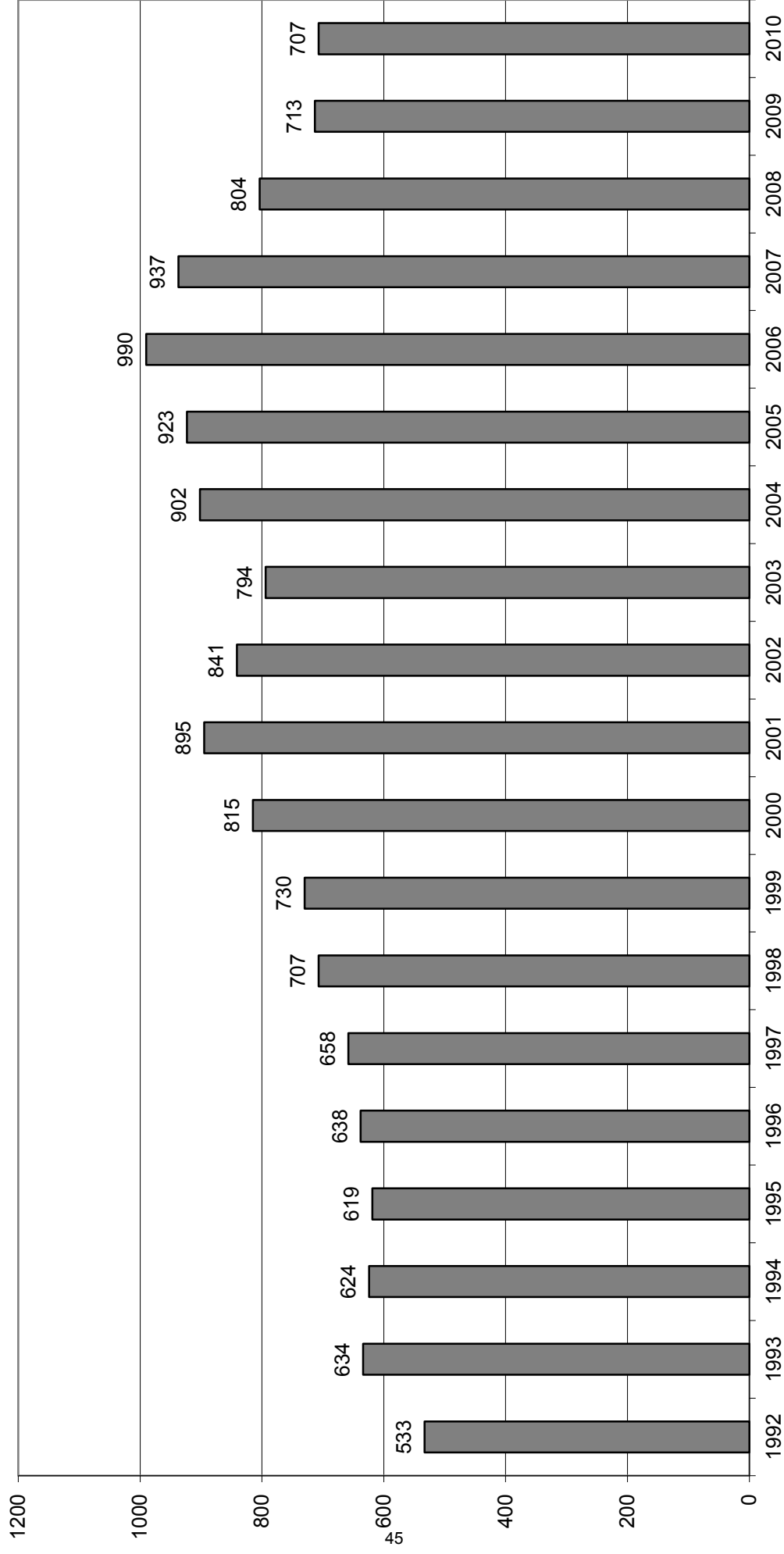
Fatal Work Injuries by Race, 1992–2010

	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001 ¹	2002	2003	2004	2005	2006	2007	2008	2009	2010
Total Fatalities	6,217	6,331	6,632	6,275	6,202	6,238	6,055	6,054	5,920	5,900	5,534	5,575	5,764	5,734	5,840	5,657	5,214	4,551	4,690
White	4,711	4,665	4,954	4,599	4,586	4,576	4,478	5,019	4,244	4,175	3,926	3,988	4,066	3,977	4,019	3,867	3,663	3,204	3,363
Black or African American	618	649	695	684	615	661	583	627	575	565	491	543	546	584	565	609	533	421	412
Hispanic or Latino	533	634	624	619	638	658	707	730	815	895	841	794	902	923	990	937	804	713	707
Asian or Pacific Islander	169	190	179	161	170	195	148	192	185	182	140	158	180	163	159	172	152	148	149
American Indian or Alaskan Native	36	46	39	27	35	34	28	57	33	48	40	42	28	50	46	29	32	33	32
Other Races/Not Reported	150	147	141	185	158	114	111	146	68	50	96	50	42	35	61	43	30	32	27

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 1992–2010.

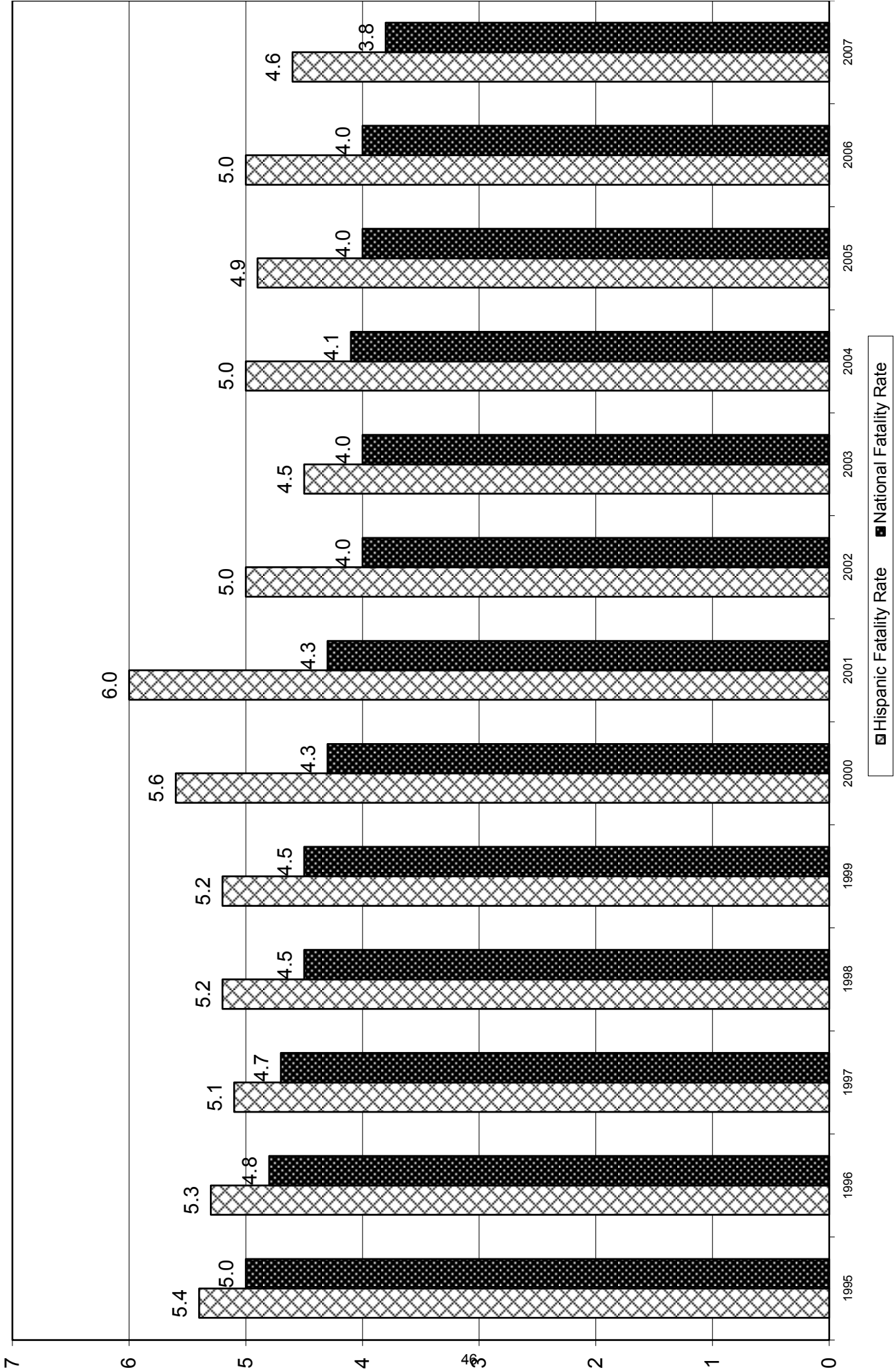
¹ Excludes September 11 fatalities.

Number of Fatal Occupational Injuries to Hispanic or Latino Workers, 1992–2010



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries.

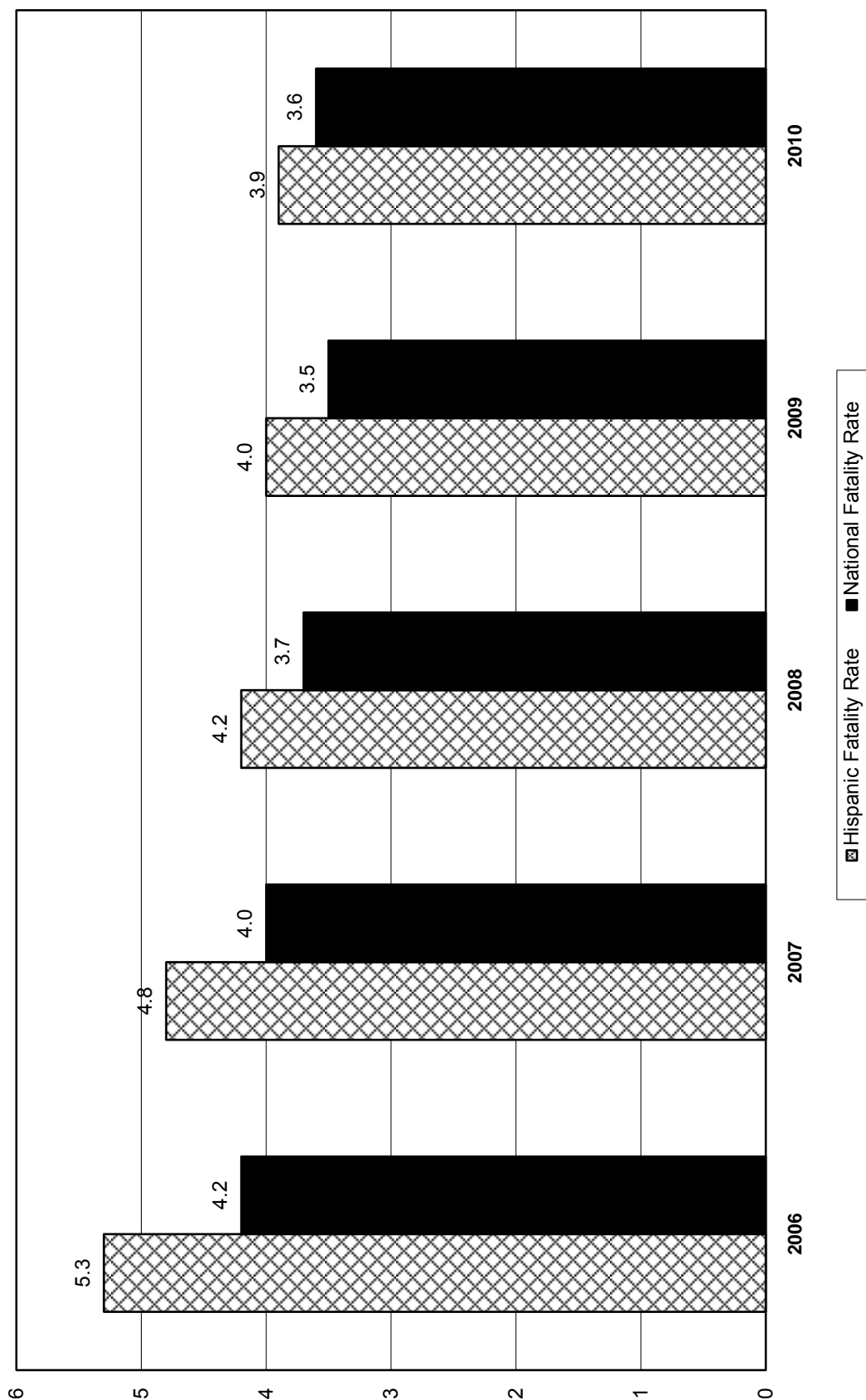
Rate¹ of Fatal Occupational Injuries to Hispanic or Latino Workers, 1995–2007 (Employment-Based Rates)



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

¹Incidence rate represents the number of fatalities per 100,000 workers. Fatality rate is an employment-based calculation. In 2008, CFOI switched to an hours-based fatality rate calculation. Employment-based fatality rates should not be compared directly with hours-based rates.

Rate of Fatal Occupational Injuries to Hispanic or Latino Workers, 2006–2010 ¹ (Hours-Based Rates)



Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries (CFOI).

¹Incidence rate represents the number of fatalities per 100,000 workers. Fatality rate is an hours-based calculation. In 2008, CFOI switched to an hours-based calculation from an employment-based calculation it used from 1992 to 2007. Fatality rate is an hours-based calculation using total hours worked figures that are annual average estimates of total at work multiplied by average hours for civilians, 16 years of age and older, from the Current Population Survey (CPS). Fatality rates for 2006 and 2007 were calculated by CFOI using both employment-based and hours-based calculations during the transition to hours-based rates beginning exclusively in 2008.

□

Workplace Injury and Illness Incidence Rates, Private Sector, 1972–2010 (Per 100 Workers)

Year	Total Case Rate	Cases with Days Away from Work, Job Transfer or Restriction ¹		
		Total	Cases with Days Away from Work	Cases with Job Transfer or Restriction
1972	10.9	3.3	N/A	N/A
1973	11.0	3.4	N/A	N/A
1974	10.4	3.5	N/A	N/A
1975	9.1	3.3	N/A	N/A
1976	9.2	3.5	3.3	0.2
1977	9.3	3.8	3.6	0.2
1978	9.4	4.1	3.8	0.3
1979	9.5	4.3	4.0	0.3
1980	8.7	4.0	3.7	0.3
1981	8.3	3.8	3.5	0.3
1982	7.7	3.5	3.2	0.3
1983	7.6	3.4	3.2	0.3
1984	8.0	3.7	3.4	0.3
1985	7.9	3.6	3.3	0.3
1986	7.9	3.6	3.3	0.3
1987	8.3	3.8	3.4	0.4
1988	8.6	4.0	3.5	0.5
1989	8.6	4.0	3.4	0.6
1990	8.8	4.1	3.4	0.7
1991	8.4	3.9	3.2	0.7
1992	8.9	3.9	3.0	0.8
1993	8.5	3.8	2.9	0.9
1994	8.4	3.8	2.8	1.0
1995	8.1	3.6	2.5	1.1
1996	7.4	3.4	2.2	1.1
1997	7.1	3.3	2.1	1.2
1998	6.7	3.1	2.0	1.2
1999	6.3	3.0	1.9	1.2
2000	6.1	3.0	1.8	1.2
2001	5.7	2.8	1.7	1.1
2002	5.3	2.8	1.6	1.2
2003	5.0	2.6	1.5	1.1
2004	4.8	2.5	1.4	1.1
2005	4.6	2.4	1.4	1.0
2006	4.4	2.3	1.3	1.0
2007	4.2	2.1	1.2	0.9
2008	3.9	2.0	1.1	0.9
2009	3.6	2.0	1.1	0.8
2010	3.5	1.8	1.1	0.8

Source: Department of Labor, Bureau of Labor Statistics. Data not available for 1971.

¹Through 2001, this column reflected Lost Workday Cases, with subcolumns: Total; Cases Involving Days Away from Work; and Cases Involving Restricted Activity Only. This new heading reflects changes made in the recordkeeping standard, which became effective Jan. 1, 2002.

Workplace Injury and Illness Rates by Industry Sector, 1973–2002 ¹

Per 100 Full-Time Workers

Year	Total Case Rate All Ind.	Total Case Rate Mfg.	Total Case Rate Const.	Total Case Rate Mining	Total Case Rate Finance	Total Case Rate Agri.	Total Case Rate Trans./Util.	Total Case Rate Trade	Total Case Rate Service
1973	11.0	15.3	19.8	12.5	2.4	11.6	10.3	8.6	6.2
1974	10.4	14.6	18.3	10.2	2.4	9.9	10.5	8.4	5.8
1975	9.1	13.0	16.0	11.0	2.2	8.5	9.4	7.3	5.4
1976	9.2	13.2	15.3	11.0	2.0	11.0	9.8	7.5	5.3
1977	9.3	13.1	15.5	10.9	2.0	11.5	9.7	7.7	5.5
1978	9.4	13.2	16.0	11.5	2.1	11.6	10.1	7.9	5.5
1979	9.5	13.3	16.2	11.4	2.1	11.7	10.2	8.0	5.5
1980	8.7	12.2	15.7	11.2	2.0	11.9	9.4	7.4	5.2
1981	8.3	11.5	15.1	11.6	1.9	12.3	9.0	7.3	5.0
1982	7.7	10.2	14.6	10.5	2.0	11.8	8.5	7.2	4.9
1983	7.6	10.0	14.8	8.4	2.0	11.9	8.2	7.0	5.1
1984	8.0	10.6	15.5	9.7	1.9	12.0	8.8	7.2	5.2
1985	7.9	10.4	15.2	8.4	2.0	11.4	8.6	7.4	5.4
1986	7.9	10.6	15.2	7.4	2.0	11.2	8.2	7.7	5.3
1987	8.3	11.9	14.7	8.5	2.0	11.2	8.4	7.4	5.5
1988	8.6	13.1	14.6	8.8	2.0	10.9	8.9	7.6	5.4
1989	8.6	13.1	14.3	8.5	2.0	10.9	9.2	8.0	5.5
1990	8.8	13.2	14.2	8.3	2.4	11.6	9.6	7.9	6.0
1991	8.4	12.7	13.0	7.4	2.4	10.8	9.3	7.6	6.2
1992	8.9	12.5	13.1	7.3	2.9	11.6	9.1	8.4	7.1
1993	8.6	12.1	12.2	6.8	2.9	11.2	9.5	8.1	6.7
1994	8.4	12.2	11.8	6.3	2.7	10.0	9.3	7.9	6.5
1995	8.1	11.6	10.6	6.2	2.6	9.7	9.1	7.5	6.4
1996	7.4	10.6	9.9	5.4	2.4	8.7	8.7	6.8	6.0
1997	7.1	10.3	9.5	5.9	2.2	8.4	8.2	6.7	5.6
1998	6.7	9.7	8.8	4.9	1.9	7.9	7.3	6.5	5.2
1999	6.3	9.2	8.6	4.4	1.8	7.3	7.3	6.1	4.9
2000	6.1	9.0	8.3	4.7	1.9	7.1	6.9	5.9	4.9
2001	5.7	8.1	7.9	4.0	1.8	7.3	6.9	5.6	4.6
2002	5.3	7.2	7.1	4.0	1.7	6.4	6.1	5.3	4.6

Source: U.S. Department of Labor, Bureau of Labor Statistics, Incidence Rates of Nonfatal Occupational Injuries and Illnesses by Industry Division, 1973–2002.

¹Beginning with the 2003 reference year, the Survey of Occupational Injuries and Illnesses began using the North American Industry Classification System (NAICS) for industries. Prior to 2003, the survey used the Standard Industrial Classification (SIC) System. The substantial differences between these systems result in breaks in series for industry data.

Workplace Injury and Illness Rates by Industry Sector, 2003–2010 ¹

	2003	2004	2005	2006	2007	2008 ²	2009	2010
<u>Total Case Rate, Private Industry</u>	5.0	4.8	4.6	4.4	4.2	3.9	3.6	3.5
Natural resources and mining	5.1	5.3	5.1	4.9	4.4	4.1	4.0	3.7
Agriculture, forestry, fishing and hunting	6.2	6.4	6.1	6.0	5.4	5.3	5.3	4.8
Mining	3.3	3.8	3.6	3.5	3.1	2.9	2.4	2.3
Construction	6.8	6.4	6.3	5.9	5.4	4.7	4.3	4
Manufacturing	6.8	6.8	6.3	6.0	5.6	5.0	4.3	4.4
Trade, transportation and utilities	5.5	5.5	5.2	5.0	4.9	4.4	4.1	4.1
Wholesale trade	4.7	4.5	4.5	4.1	4.0	3.7	3.3	3.4
Retail trade	5.3	5.3	5.0	4.9	4.8	4.4	4.2	4.1
Transportation and warehousing	7.8	7.3	7.0	6.5	6.4	5.7	5.2	5.2
Utilities	4.4	5.2	4.6	4.1	4.0	3.5	3.3	3.1
Information	2.2	2.0	2.1	1.9	2.0	2.0	1.9	1.8
Financial activities	1.7	1.6	1.7	1.5	1.4	1.5	1.5	1.3
Professional and business services	2.5	2.4	2.4	2.1	2.1	1.9	1.8	1.7
Educational and health services	6.0	5.8	5.5	5.4	5.2	5.0	5.0	4.8
Leisure and hospitality	5.1	4.7	4.7	4.6	4.5	4.2	3.9	3.9
Other services, except public administration	3.4	3.2	3.2	2.9	3.1	3.1	2.9	2.7
State and local government						6.3	5.8	5.7
State government						4.7	4.6	4.6
Local government						7.0	6.3	6.1

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Total recordable cases per 100 workers.

²Beginning with 2008, the Bureau of Labor Statistics provided national public-sector estimates for state and local government workers.

Note: Beginning with the 2003 reference year, both CFOI and the Survey of Occupational Injuries and Illnesses began using the 2002 North American Industry Classification System (NAICS) for industries. Prior to 2003, the surveys used the Standard Industrial Classification (SIC) system. The substantial differences between these systems result in breaks in series for industry data.

Rate¹ of Occupational Injuries and Illnesses Among Workers in Selected Industries Employed in State Government, Local Government and Private Industry, 2010

Industry	State Government	Local Government	Private Industry
All Industries Combined	4.6	6.1	3.5
Construction	--	9.5	4.0
Educational Services	2.6	4.9	2.2
Hospitals	11.8	6.9	7.0
Nursing and Residential Care Facilities	15.1	11.4	8.3
Transportation and Warehousing	--	7.2	5.2
Utilities	--	6.2	3.1

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Total recordable cases per 100 workers.

**Rate¹ of Occupational Injuries and Illnesses Requiring Days Away from
Work in Selected Industries Employed in State Government, Local
Government and Private Industry, 2010**

Industry	State Government	Local Government	Private Industry
All Industries Combined	175.1	180.6	107.7
Construction	—	—	149.6
Educational Services	66.5	121.1	61.5
Hospitals	357.1	168.3	163.4
Nursing and Residential Care Facilities	755.3	421.4	245.8
Transportation and Warehousing	—	365.7	232.0
Utilities	—	205.4	103.3

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Days away from work cases per 10,000 workers.

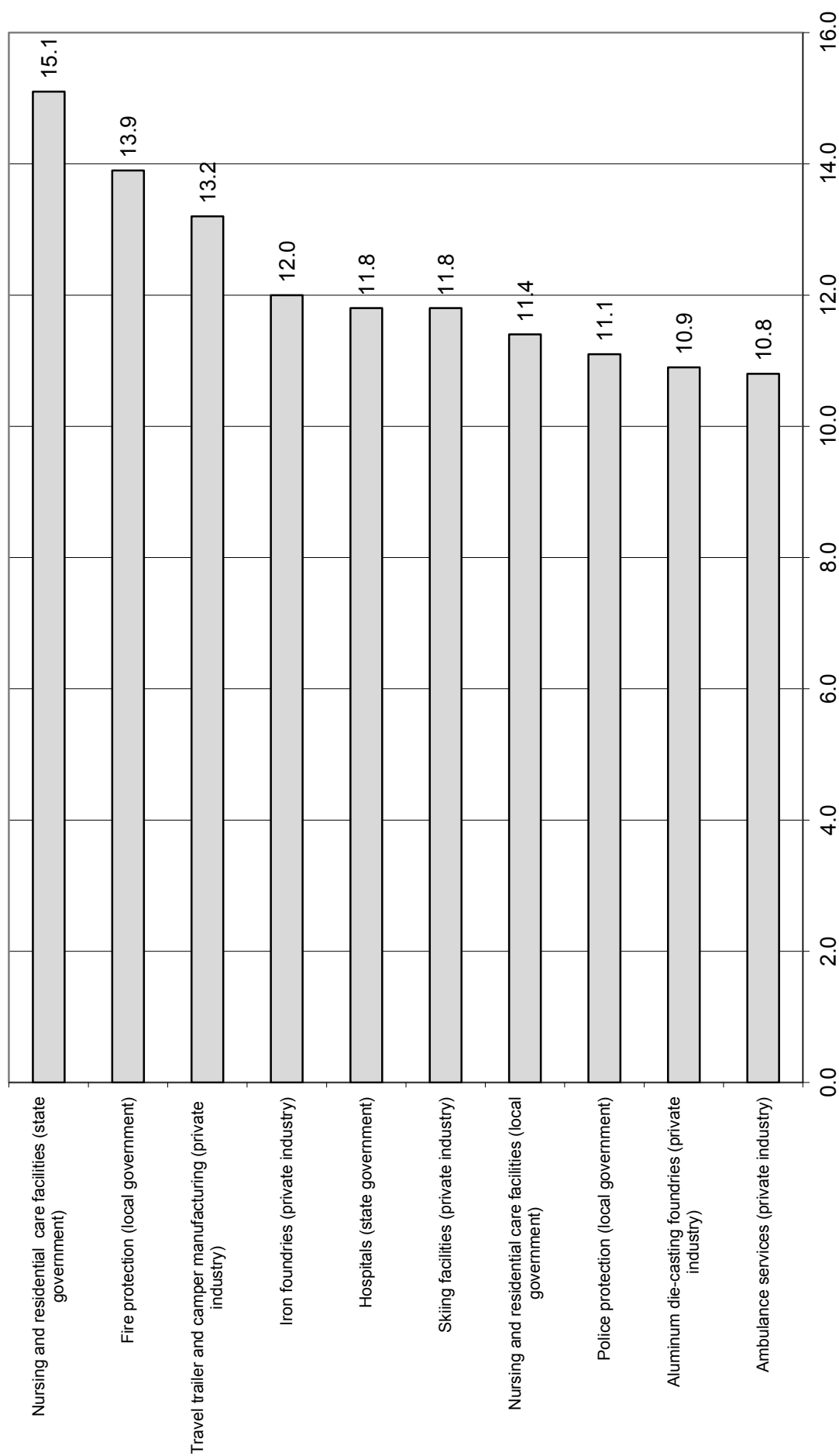
Industries with the Highest Total Nonfatal Injury and Illness Rates, 2010

(Per 100 Workers)

Private Industry = 3.5

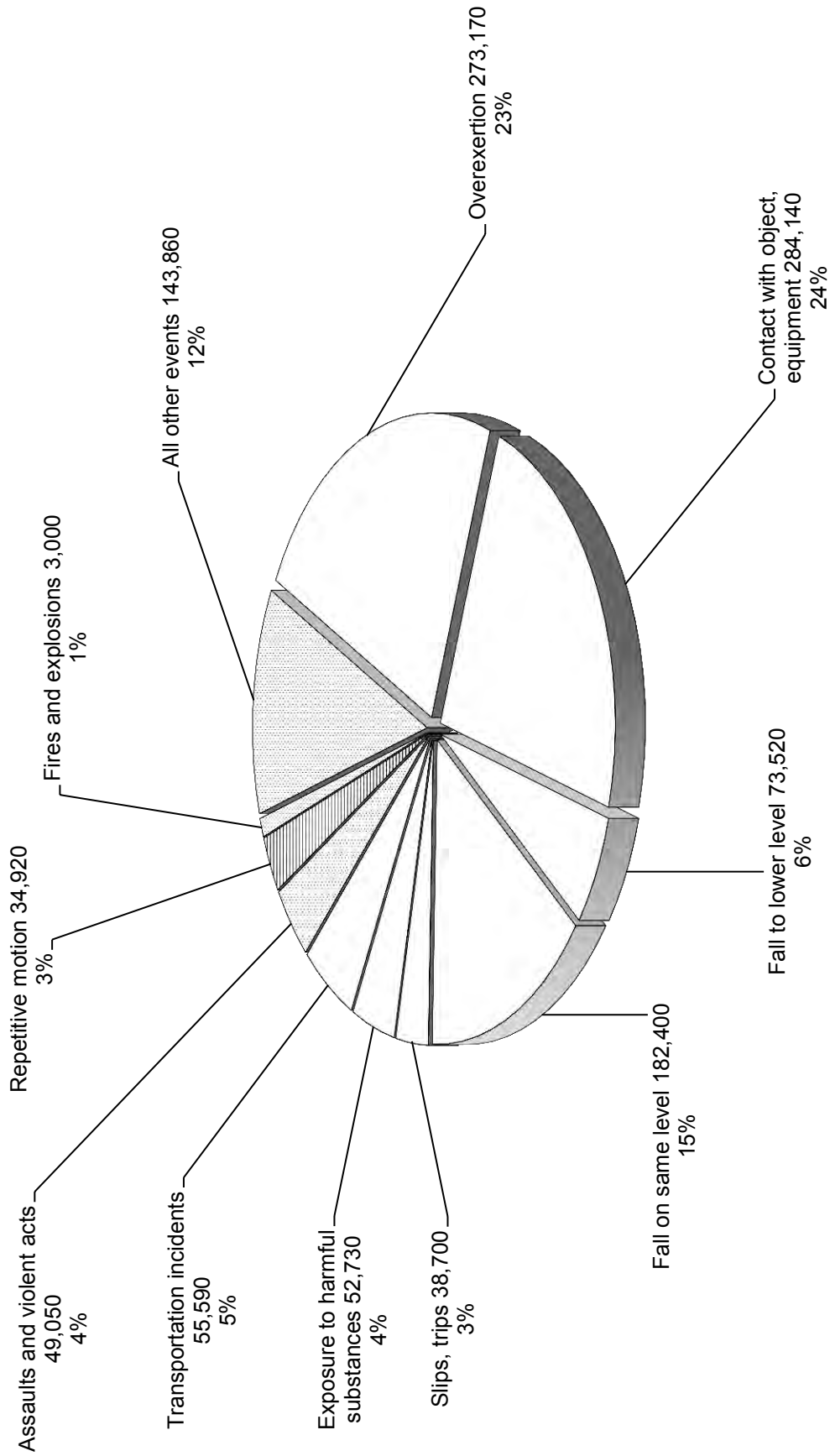
State Government = 4.6

Local Government = 6.1



Source: U.S. Department of Labor, Bureau of Labor Statistics.

Nonfatal Occupational Injuries and Illnesses with Days Away from Work by Event or Exposure, 2010 ¹



Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Includes total number in private industry, state and local government.

Number of Injury and Illness Cases in Private Industry with Days Away from Work¹ Among Hispanic Workers, 1995–2010

Year	Number of Hispanic Worker Cases	Percent of Total Injury and Illness Cases
1995	191,665	9.4
1996	169,300	9.0
1997	187,221	10.2
1998	179,399	10.4
1999	182,896	10.7
2000	186,029	11.2
2001	191,959	12.5
2002 ²	180,419	12.6
2003 ³	161,330	12.3
2004 ³	164,390	13.1
2005 ³	163,440	13.2
2006 ³	159,440	13.5
2007 ³	157,320	13.6
2008 ³	145,870	13.5
2009 ³	125,790	13.0
2010 ³	122,970	13.2

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Days away from work include those that result in days away from work with or without restricted work activity. They do not include cases involving only restricted work activity.

²Days away from work cases include those that result in days away from work with or without job transfer or restriction.

³Classification of workers by race and ethnicity was revised in 2003 to conform to other government data. One result of this revision is that individuals may be categorized in more than one race or ethnic group. Cases reflected here are for those who reported *Hispanic or Latino only* and *Hispanic or Latino and other race*. Race and ethnicity data reporting is not mandatory in the BLS Survey of Occupational Injuries and Illnesses. This resulted in 30 percent or more of the cases not reporting race and ethnicity in 2003 through 2010.

Note: Due to the revised recordkeeping rule, which became effective Jan. 1, 2002, the estimates from the 2002 BLS Survey of Occupational Injuries and Illnesses are not comparable with those from previous years. Among the changes that could affect comparisons are: changes to the list of low-hazard industries that are exempt from recordkeeping, employers are no longer required to record all illnesses regardless of severity, there is a new category of injuries/illnesses diagnosed by a physician or health care professional, changes to the definition of first aid and days away from work are recorded as calendar days.

Estimated and Reported Cases of Musculoskeletal Disorders in Private Industry ^{1,2}

Year	Total MSD Cases ¹	MSD Cases with Days Away from Work, Job Transfer or Restriction ^{1,3}	MSD Cases with Job Transfer or Restriction ^{1,4}	MSDs Involving Days Away from Work ⁵	Percent of Cases Involving MSDs
2010	934,337	487,421	202,795	284,340	30.5%
2009	963,644	490,216	206,506	283,800	29.4%
2008	1,086,653	558,835	241,844	317,440	29.4%
2007	1,152,778	586,368	252,634	333,760	28.8%
2006	1,233,791	638,609	281,192	357,160	30.2%
2005	1,264,260	655,440	285,030	375,540	30.0%
2004	1,362,336	712,000	309,024	402,700	32.0%
2003	1,440,516	759,627	325,380	435,180	33.0%
2002	1,598,204	848,062	359,788	487,915	34.0%
2001	1,773,304	870,094	347,310	522,500	34.0%
2000	1,960,585	954,979	377,165	577,814	34.7%
1999	1,951,862	938,038	355,698	582,340	34.2%
1998	2,025,598	950,999	358,455	592,544	34.2%
1997	2,101,795	980,240	353,888	626,352	34.2%
1996	2,146,182	974,380	327,025	647,355	34.4%
1995	2,242,211	1,013,486	317,539	695,800	34.1%
1994	2,287,212	1,034,618	278,647	755,600	33.8%
1993	2,283,979	1,005,949	242,351	762,700	33.9%
1992	2,284,598	992,342	209,093	784,100	33.6%

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Total MSD cases, MSD days away, job transfer or restriction cases, and MSD job transfer or restriction cases are estimated based upon the percentage of MSD cases reported by BLS for the total days away from work cases involving MSD in private industry.

²These figures are based on employer-reported cases of MSDs provided to BLS. The number of cases shown here do not reflect the impact of under-reporting, which would significantly increase the true toll of MSDs occurring among workers. OSHA has estimated that for every reported MSD, two MSDs go unreported.

³Through 2001, this column was titled Total MSD Lost Workday Cases. The new title reflects the change in the recordkeeping standard that went into effect Jan. 1, 2002. Lost workday cases were defined as those that involve days away from work, days of restricted work activity, or both. They do not include cases involving only restricted work activity.

⁴Through 2001, this column was titled MSD Cases with Days of Restricted Activity. The new title reflects the change in the recordkeeping standard that went into effect Jan. 1, 2002.

⁵Days away from work cases include those that result in days away from work or without job transfer or restriction. Prior to 2002, days away from work cases included those that resulted in days away from work or without restricted activity. They do not include cases involving only restricted work activity.

Occupations with Highest Numbers of Nonfatal Occupational Injuries and Illness with Days Away from Work ¹ Involving Musculoskeletal Disorders ², 2010

Occupation	Number of MSDs
Nursing aides, orderlies and attendants	27,020
Laborers and freight, stock, and material movers, hand	23,420
Janitors and cleaners, except maids and house keeping cleaners	14,680
Truck drivers, heavy and tractor-trailer	11,970
Registered nurses	10,900
Truck drivers, light or delivery services	9,150
Retail salespersons	8,750
Production workers, all other	7,860
Maintenance and repair workers, general	7,190
Stock clerks and order fillers	6,850
Maids and housekeeping cleaners	6,750
First-line supervisors/managers of retail sales workers	5,730
Construction laborers	5,330
Firefighters	4,890
Emergency medical technicians and paramedics	4,780

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Days away from work cases include those that result in days away from work with or without job transfer or restriction.

²Includes cases where the nature of injury is sprains, tears; back pain, hurt back; soreness, pain, hurt except back; carpal tunnel syndrome; hernia; musculoskeletal system and connective tissue diseases and disorders; and when the event or exposure leading to the injury or illness is bodily reaction/bending, climbing, crawling, reaching, twisting, overexertion or repetition. Cases of Raynaud's phenomenon, tarsal tunnel syndrome and herniated spinal discs are not included. Although these cases may be considered MSDs, the survey classifies these cases in categories that also include non-MSD cases.

Note: Beginning with the 2003 reference year, the 2000 Standard Occupational Classification (SOC) Manual now is used to classify occupation. Prior to 2003, the survey used the Bureau of Census occupational coding system. For that reason, BLS advises against making comparisons between 2003 occupation categories and results from previous years.

Highest Incidence Rates of Musculoskeletal Disorders Involving Days Away from Work by Industry, 2010

Industry (NAICS code)	Incidence Rate ¹	Total Cases	Median Days Away from Work
000 All Industry	32.8	284,340	11
481 Air transportation	208.3	7,610	19
492 Couriers and messengers	101.5	3,880	54
623 Nursing and residential care facilities	96.0	23,470	6
312 Beverage and tobacco product manufacturing	77.3	1,370	15
493 Warehousing and storage	76.8	4,500	16
622 Hospitals	71.8	26,350	8
484 Truck transportation	67.2	8,800	17
424 Merchant wholesalers – nondurable goods	55.4	10,270	15
444 Building material, garden equipment and supplies dealers	54.0	5,530	20
445 Food and beverage stores	52.4	11,040	12
336 Transportation equipment manufacturing	50.9	6,690	23
327 Nonmetallic mineral product manufacturing	49.2	1,810	15
212 Mining (except oil and gas)	48.3	1,110	31
452 General merchandise stores	47.8	10,430	7
321 Wood product manufacturing	47.7	1,580	10
485 Transit & ground passenger transport	46.9	1,430	13
562 Waste management & remediation services	44.5	1,600	15
442 Furniture & home furnishing stores	44.5	1,560	10
337 Furniture & related product manufacturing	44.2	1,530	14
310 Food manufacturing	44.2	6,350	13
238 Specialty trade contractors	44.2	13,690	16
721 Accommodation	44.0	5,860	10
532 Rental and leasing services	42.7	1,970	17
331 Primary metal manufacturing	42.4	1,550	17
326 Plastics & rubber products manufacturing	40.9	2,520	10
483 Water transportation	40.3	300	25
454 Nonstore retailers	39.8	1,440	13
332 Fabricated metal product manufacturing	38.8	4,900	10
488 Support activities for transportation	38.6	1,980	13
517 Telecommunications	37.3	3,360	18

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Incidence rate per 10,000 workers.

Highest Number of Total Cases of Musculoskeletal Disorders Involving Days Away from Work by Industry, 2010

Industry (NAICS code)	Number Total Cases	Incidence ¹ Rate	Median Days Away from Work
000 All Industry	284,340	32.8	11
622 Hospitals	26,350	71.8	8
623 Nursing and residential care facilities	23,470	96.0	6
238 Specialty trade contractors	13,690	44.2	16
621 Ambulatory health care services	11,970	25.5	8
445 Food and beverage stores	11,040	52.4	12
452 General merchandise stores	10,430	47.8	7
424 Merchant wholesalers – nondurable goods	10,270	55.4	15
722 Food services and drinking places	9,450	16.2	8
561 Administrative and support services	9,420	22.8	7
484 Truck transportation	8,800	67.2	17
423 Merchant wholesalers durable goods	7,630	28.8	11
481 Air transportation	7,610	208.3	19
336 Transportation equipment manufacturing	6,690	50.9	23
311 Food manufacturing	6,350	44.2	13
624 Social assistance	5,910	32.7	7
721 Accommodation	5,860	44.0	10
444 Building material and garden equipment and supplies dealers	5,530	54.0	20
332 Fabricated metal product manufacturing	4,900	38.8	10
441 Motor vehicle and parts dealers	4,520	29.5	9
493 Warehousing and storage	4,500	76.8	16
541 Professional, scientific and technical services	4,160	6.1	8
492 Couriers and messengers	3,880	101.5	54
517 Telecommunications	3,360	37.3	18
236 Construction of buildings	3,340	29.5	6
333 Machinery manufacturing	3,320	33.6	14
811 Repair and maintenance	3,150	30.0	24
531 Real estate	3,040	25.4	7
812 Personal and laundry services	2,590	27.8	14
326 Plastics & rubber products manufacturing	2,520	40.9	10

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹Incidence rate per 10,000 workers.

Estimates of the True Toll of Workplace Injuries and Illnesses Compared with Bureau of Labor Statistics (BLS) Reports, 2010

	Estimated 2010 Figures Accounting for Impact of Undercounting Injuries and Illnesses ¹	2010 Data Reported by Bureau of Labor Statistics (BLS)
Total Number of Nonfatal Injuries and Illnesses in Private Industry	9.3 million	3.1 million
Total Nonfatal Injury and Illness Case Rate in Private Industry (Cases per 100 workers)	10.5	3.5
Total Number of Injuries and Illnesses Involving Days Away from Work in Private Industry	2.8 million	933,200
Case Rate for Nonfatal Injuries and Illnesses Involving Days Away from Work (Cases per 100 workers) in Private Industry	3.24	1.08
Total Number of Musculoskeletal Disorders-Cases Involving Days Away from Work in Private Industry	853,020	284,340
Total Number of Estimated Cases of Musculoskeletal Disorders in Private Industry	2,803,011	934,337

Source: U.S. Department of Labor, Bureau of Labor Statistics.

¹ A detailed comparison of individual injury and illness reports from various reporting systems found that only one in three workplace injuries and illnesses was reported on the OSHA Log and captured by the Bureau of Labor Statistics survey. This study did not address the number of injuries and illnesses that are not reported to any reporting system in the first place. Thus, this study represents a conservative estimate of under-reporting of the true toll of injuries and illnesses. For more details on the study, see the paper by Rosenman, et al. "How Much Work-Related Injury and illness is Missed by the Current National Surveillance System?" Journal of Occupational and Environmental Medicine, Vol. 8, pages 357-365, 2006.

Federal OSHA Inspection/Enforcement Activity, FY 2005–2011 ¹

	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Inspections	38,783	38,589	39,379	38,652	39,057	41,018	40,625
Safety	31,136	31,846	33,063	33,120	33,256	34,353	33,338
Health	7,647	6,743	6,316	5,532	5,801	6,665	7,287
Complaints	7,732	7,384	7,072	6,707	6,675	8,036	8,762
Programmed	21,430	21,497	23,020	23,034	24,336	24,752	23,319
Construction	22,181	22,901	23,323	23,170	23,952	24,441	22,624
Maritime	381	407	355	309	338	300	340
Manufacturing	8,467	7,691	7,693	7,537	7,312	7,921	8,566
Other	7,754	7,590	8,008	7,636	7,455	8,356	9,094
Employees Covered by Inspections*	1,561,399	1,213,707	1,430,052	1,450,957	1,332,583	1,425,556	1,404,106
Average Case Hours/Inspections*							
Safety	19.0	18.8	18.7	19.7	18.5	19.0	20.4
Health	34.8	34.4	33.3	34.9	34.8	33.8	33.9
Violations – Total*	85,054	83,726	88,616	87,418	87,491	96,610	81,861
Willful	726	466	404	497	395	1,513	572
Repeat	2,326	2,544	2,687	2,760	2,750	2,749	3,029
Serious	60,662	61,085	66,852	66,691	67,439	74,721	59,547
Unclassified	70	14	8	13	10	2	7
Other	20,968	19,339	18,466	17,290	16,697	17,298	18,436
FTA	302	278	199	167	200	327	270
Penalties – Total (\$)*	98,751,227	82,546,815	89,621,157	101,000,817	94,981,842	181,391,692	178,289,800
Willful	31,431,427	14,985,450	14,835,056	20,704,257	13,537,230	81,906,139	22,737,340
Repeat	8,454,113	9,559,903	9,833,794	11,252,572	10,644,022	12,007,280	21,076,053
Serious	52,965,118	53,298,790	60,547,314	64,046,607	65,072,944	78,632,344	125,459,324
Unclassified	1,506,735	558,650	191,680	474,800	128,000	1,700	317,775
Other	3,230,440	3,165,197	3,467,104	3,712,646	3,907,648	5,018,568	7,299,625
FTA	1,163,394	978,825	746,209	809,935	1,691,998	3,825,661	1,399,683
Average Penalty/ Violation (\$)*	1,161	986	1,011	1,155	1,086	1,878	2,177
Willful	43,294	32,158	36,720	41,658	34,271	54,135	39,751
Repeat	3,635	3,758	3,660	4,077	3,871	4,368	6,958
Serious	873	873	906	960	965	1,052	2,107
Unclassified	21,525	39,904	23,960	36,523	12,800	850	45,396
Other	154	164	188	215	234	290	396
FTA	3,852	3,521	3,750	4,850	8,460	11,699	5,184
Percent Inspections with Citations Contested(%)*	7.7%	7.2%	6.7%	6.7%	7.1%	8.0%	10.8%

Source: OSHA IMIS Inspection 6 Reports, FY 2005–FY 2011, and OIS Federal Inspection Reports, FY 2011.

¹ During FY 2011, several OSHA regional offices changed their federal inspection data collection system from IMIS to the new OIS (OSHA Information System). At the time this report was prepared by the AFL-CIO, some of the information from OIS was not available involving approximately 4,500 federal inspections. As a result, some federal inspection data for FY 2011 is incomplete. The data reported under "Inspections" in this table is complete and includes inspection numbers from both IMIS and OIS combined. Data elements marked with an asterisk(*) are incomplete and come from the IMIS report only.

Federal OSHA and State Plan OSHA Inspection/Enforcement Activity FY 2011

	<u>FEDERAL OSHA¹</u>	<u>STATE PLAN OSHA</u>
Inspections	40,625	52,314
Safety	33,338	46,865
Health	7,287	11,449
Complaints	8,762	8,924
Programmed	23,319	30,099
Construction	22,624	20,746
Maritime	340	47
Manufacturing	8,566	8,466
Other	9,094	23,055
Employees Covered by Inspections*	1,404,106	2,213,131
Average Case Hours/Inspection*		
Safety	20.4	17.6
Health	33.9	27.7
Violations – Total*	81,861	113,377
Willful	572	296
Repeat	3,029	1,999
Serious	59,547	49,828
Unclassified	7	7
Other	18,436	60,919
FTA	270	328
Penalties – Total (\$)*	178,289,800	73,445,208
Willful	22,737,340	10,520,250
Repeat	21,076,053	4,913,955
Serious	125,459,324	46,942,715
Unclassified	317,775	32,375
Other	7,299,625	7,973,249
FTA	1,399,683	3,062,664
Average Penalty/Violation (\$)*	2,177	648
Willful	39,751	35,541
Repeat	6,958	2,458
Serious	2,107	942
Unclassified	45,396	4,625
Other	396	131
FTA	5,184	9,337
Percent Inspections with Citations Contested*	10.8%	14.9%

Source: OSHA IMIS Inspection 6 Reports, FY 2011, and OIS Federal Inspection Reports, FY 2011.

¹During FY 2011, several OSHA regional offices changed their federal inspection data collection system from IMIS to the new OIS (OSHA Information System). At the time this report was prepared by the AFL-CIO, some of the information from OIS was not available involving approximately 4,500 federal inspections. As a result, some federal inspection data for FY 2011 is incomplete. The data reported under "Inspections" in this table is complete and includes inspection numbers from both IMIS and OIS combined. Data elements marked with an asterisk (*) are incomplete and come from the IMIS report only.

**Average Total Penalty (\$) Per OSHA Fatality Inspection
FY 2003–2011**

Fiscal Year	Number of Fatality Inspections Conducted	Total Penalties (\$)	Average Total Penalty Per Inspection (\$)
<u>FY 2003</u>			
Federal States	1,504	7,120,953	6,756
State Plan States	816	3,448,520	4,214
Nationwide	1,870	10,559,473	5,647
<u>FY 2004</u>			
Federal States	1,115	7,502,645	6,729
State Plan States	890	4,557,757	5,121
Nationwide	2,005	12,060,402	6,015
<u>FY 2005</u>			
Federal States	1,131	7,522,700	6,651
State Plan States	887	5,714,741	6,443
Nationwide	2,018	13,237,441	6,560
<u>FY 2006</u>			
Federal States	1,106	7,133,639	6,450
State Plan States	950	5,391,602	5,675
Nationwide	2,056	12,525,241	6,092
<u>FY 2007</u>			
Federal States	1,051	11,943,175	11,364
State Plan States	845	5,206,768	6,162
Nationwide	1,896	17,149,943	9,045
<u>FY 2008</u>			
Federal States	983	12,834,716	13,057
State Plan States	789	5,481,322	6,947
Nationwide	1,772	18,316,038	10,336
<u>FY 2009</u>			
Federal States	824	5,791,896	7,029
State Plan States	626	3,972,586	6,346
Nationwide	1,450	9,764,482	6,734
<u>FY 2010</u>			
Federal States	805	19,258,617	23,924
State Plan States	620	5,116,007	8,252
Nationwide	1,425	24,374,624	17,105
<u>FY 2011</u>			
Federal States	754	12,451,612	16,514
State Plan States	680	9,803,145	14,416
Nationwide	1,434	22,254,757	15,519

Source: OSHA IMIS Fatality Inspection Reports, FY 2003–2011.

Significant OSHA Enforcement Cases in FY 2011 with Highest Issued Total Penalty ¹

Company Name	Inspection Number(s)	Citations Issued	Total Penalty Issued
MDLG, Inc. dba Phenix Lumber Company & John M. Dudley	315111930 315135954	6/14/2011	\$1,939,000
AMD Industies	315154112	5/24/2011	\$1,247,400
Blackmag	314043290	10/22/2010	\$1,232,500
PJ Trailers	314181876 314181926	9/27/2011	\$949,800
Bostik, Inc.	315298281 315298307	9/12/2011	\$917,000
WRR Environmental Services Co., Inc.	313178154	12/14/2010	\$787,000
Hillsdale Elevator	312894876 314848235	1/24/2011	\$729,000
Republic Engineered Products	313785941	5/16/2011	\$563,000
Haasbach	314037433	1/24/2011	\$550,000
Parker Hannifin Corporation	313634263 313634651	3/23/2011	\$487,700
Quality Stamping Products	315200097	6/29/2011	\$389,500
Outland Renewable Energy	314847708	4/8/2011	\$378,000

Source: Occupational Safety and Health Administration.

¹ OSHA defines significant enforcement cases as those resulting in a total proposed penalty of more than \$100,000. In FY 2011, 215 significant enforcement cases occurred.

Largest–Ever OSHA Enforcement Cases Based on Total Penalty Issued

Company Name	Inspection Number(s)	Date Citations Issued	Total Penalty Issued	Penalty Amount Paid ¹
BP Products North America	311962674 308314640	10/29/2009	\$81,340,000	\$50,610,000 (Case remains in litigation)
			\$21,361,500	
BP Products North America	308314640 308314988	9/21/2005		
IMC Fertilizer/Angus Chemical	107607863 107607871	10/31/1991	\$11,550,000	\$10,000,000
Imperial Sugar	310988712 311522858	7/25/2008	\$8,777,500	\$6,050,000 (Formal settlement)
O&G Industries, Inc.	109179937 314295460	8/3/2010	\$8,347,000	\$52,000 paid (Case remains in litigation)
Samsung Guam, Inc.	107329740 106196801	9/21/1995	\$8,260,000	\$1,829,000 (Formal settlement)
CITGO Petroleum	110416880	8/29/1991	\$8,155,000	\$5,800,000
Dayton Tire	109061648	4/18/1994	\$7,490,000	\$7,490,000
USX (aka U.S. Steel Corp.)	100504950 018252858 102873288	10/26/1989 11/2/1989	\$7,275,300	\$3,268,845 (Formal settlement)
Keystone Construction Maintenance	109179952 314295445	8/3/2010	\$6,623,000	\$50,000 paid (Case remains in litigation)
Phillip 66/Fish Engineering	106612443 107365751	4/19/1990	\$6,395,200	\$410000 (Formal settlement)
Hercules, Inc.	108662420 100490705	9/8/1993	\$6,328,000	\$100,000 (ALJ decision)
Arcadian	102281292 102281128	1/27/1993	\$5,085,000	\$5,085,000
E. Smalis Painting	108753690	6/31/1994	\$5,008,500	\$1,092,750 (OSHRC decision)

Largest–Ever OSHA Enforcement Cases Based on Total Penalty Issued

Company Name	Inspection Number(s)	Date Citations Issued	Total Penalty Issued	Penalty Amount Paid ¹
John Morrell	101456325	10/28/1988	\$4,330,000	\$990,000 (Formal settlement)
Bath Iron Works	101450336 101450294	11/4/1987	\$4,175,940	\$650,000 (Formal settlement)
Fraser Paper	102749868 102750395	9/17/1991	\$3,982,500	\$1,286,233 (Formal settlement)
Decoster Egg Farms (aka Maine Contract Farming, LLC)	122375512	7/12/1996	\$3,555,500	\$1,887,500 (Formal settlement)
Arco Chemical Co.	110318540	1/3/1999	\$3,481,300	\$3,481,300
The Budd Company	18252510	12/12/1989	\$3,345,600	\$1,528,000 (Formal settlement)
McCroory Stores	113919278	11/7/1991	\$3,188,000	\$500,000 (ALJ decision)
IBP	100059591	5/11/1998	\$3,133,100	\$532,030 (OSHRC decision)
BP North America Inc. and BP Husky Refining LLC's Refinery	311611081	3/8/2010	\$3,042,000	\$3,042,000
Shell Oil Chemical Co.	103342093	11/22/1994	\$3,017,000	\$3,017,000
Union Carbide	110398310	9/12/1991	\$2,803,500	\$1,496,500 (Formal settlement)

Source: Occupational Safety and Health Administration.

¹ Penalty amount paid information comes from March 26, 2012, posting by Celeste Montforton on the Pump Handle blog at http://scienceblogs.com/thepumphandle/2012/03/Federal_osh_penalties_101_a_l_ph.

Major OSHA Health Standards Since 1971

<u>Standard</u>	<u>Year Final Standard Issued</u>
1. Asbestos	1972
2. Fourteen Carcinogens	1974
3. Vinyl Chloride	1974
4. Coke Oven Emissions	1976
5. Benzene	1978
6. DBCP	1978
7. Arsenic	1978
8. Cotton Dust	1978
9. Acrylonitrile	1978
10. Lead	1978
11. Cancer Policy	1980
12. Access to Medical Records	1980
13. Hearing Conservation	1981
14. Hazard Communication	1983
15. Ethylene Oxide	1984
16. Asbestos (revised)	1986
17. Field Sanitation	1987
18. Benzene (revised)	1987
19. Formaldehyde	1987
20. Access to Medical Records (modified)	1988
21. Permissible Exposure Limits (PELs) Update (vacated)	1989
22. Chemical Exposure in Laboratories	1990
23. Bloodborne Pathogens	1991
24. 4,4'-methylenedianiline	1992
25. Cadmium	1992
26. Asbestos (partial response to court remand)	1992
27. Formaldehyde (response to court remand)	1992
28. Lead – (construction)	1993
29. Asbestos (response to court remand)	1994
30. 1,3-Butadiene	1996
31. Methylene Chloride	1998
32. Respiratory Protection	1998
33. Ergonomics	2000
34. Bloodborne Pathogens (revised)	2001
35. Ergonomics (revoked)	2001
36. Hexavalent Chromium (response to court order)	2006
37. Hazard Communication–Globally Harmonized System	2012

Source: Code of Federal Regulations.

Major OSHA Safety Standards Since 1971

<u>Standard</u>	<u>Year Final Standard Issued</u>
1. Cranes/Derricks (Load Indicators)	1972
2. Roll-over Protective Structures (Construction)	1972
3. Power Transmission and Distribution	1972
4. Scaffolding, Pump Jack Scaffolding and Roof Catch Platform	1972
5. Lavatories for Industrial Employment	1973
6. Trucks, Cranes, Derricks and Indoor General Storage	1973
7. Temporary Flooring-Skeleton Steel Construction	1974
8. Mechanical Power Presses	1974
9. Telecommunications	1975
10. Roll-over Protective Structures of Agricultural Tractors	1975
11. Industrial Slings	1975
12. Guarding of Farm Field Equipment, Farmstead Equipment and Cotton Gins	1976
13. Ground-Fault Protection	1976
14. Commercial Diving Operations	1977
15. Servicing Multi-Piece Rim Wheels	1980
16. Fire Protection	1980
17. Guarding of Low-Pitched Roof Perimeters	1980
18. Design Safety Standards for Electrical Standards	1981
19. Latch-Open Devices	1982
20. Marine Terminals	1983
21. Servicing of Single-Piece and Multi-Piece Rim Wheels	1984
22. Electrical Safety in Construction (Part 1926)	1986
23. General Environmental Controls – TAGS Part (1910)	1986
24. Marine Terminals – Servicing Single-Piece Rim Wheels (Part 1917)	1987
25. Grain Handling Facilities (Part 1910)	1987
26. Safety Testing of Certification of Certain Workplace Equipment and Materials	1988
27. Crane or Derrick Suspended Personnel Platforms (Part 1926)	1988
28. Concrete and Masonry Construction (Part 1926)	1988
29. Mechanical Power Presses – (Modified)	1988
30. Powered Platforms (Part 1910)	1989
31. Underground Construction (Part 1926)	1989
32. Hazardous Waste Operations (Part 1910) (Mandated by Congress)	1989
33. Excavations (Part 1926)	1989
34. Control of Hazardous Energy Sources (Lockout/Tagout) (Part 1910)	1989
35. Stairways and Ladders (Part 1926)	1990
36. Concrete and Masonry Lift-Slab Operations	1990
37. Electrical Safety Work Practices (Part 1910)	1990
38. Welding, Cutting and Brazing (Part 1910) (Revision)	1990
39. Chemical Process Safety	1992
40. Confined Spaces	1993
41. Fall Protection	1994
42. Electrical Power Generation	1994
43. Personal Protective Equipment	1994
44. Logging Operations	1995

<u>Standard</u>	<u>Year Final Standard Issued</u>
45. Scaffolds	1996
46. PPE for Shipyards	1996
47. Longshoring and Marine Terminals	1997
48. Powered Industrial Truck Operator Training	1998
51. Steel Erection	2001
52. Electrical Equipment Installation	2007
53. Employer Payment for Personal Protective Equipment	2007
54. Cranes and Derricks in Construction	2010
55. General Working Conditions for Shipyard Employment	2011

Source: Code of Federal Regulations.

Delays in Recent OSHA Safety and Health Standards Impact on Workers' Lives

Hazard/Issue	Year Rulemaking Initiated	Year Rulemaking Completed	Years Elapsed Since Rulemaking Initiated	Lives Lost Per Year of Delay	Lives Lost Over Entire Rulemaking Period
Cranes and Derricks ¹	2002	2010	8	22	176
Hexavalent Chromium ²	1993	2006	13	40 to 145	520 to 1,885
Silica ³	1997	Not yet completed	14+	60	840

¹ In 2002, OSHA initiated negotiated rulemaking on the cranes and derricks standard. The negotiated rulemaking committee recommended a draft rule in 2004. The proposed rule was issued in 2008 and the final rule promulgated in 2010. According to OSHA, the cranes and derricks standard also will prevent 175 injuries per year. Fatalities and injuries prevented per year by the new standard were obtained from OSHA's preamble to the final rule for cranes and derricks published in the Federal Register on Aug. 9, 2010.

² In 1993, a petition for an Emergency Temporary Standard (ETS) for the carcinogen hexavalent chromium was submitted to OSHA. In 1994, OSHA denied the ETS petition but put hexavalent chromium on the regulatory agenda for normal rulemaking. OSHA failed to issue a proposed rule. Lawsuits in 1997 and in 2002 seeking to compel rulemaking resulted in a court ordered timetable to issue a final standard by Jan. 18, 2006. According to OSHA, the standard also will prevent 209 to 1,045 cases of dermatitis and 1,140 cases of nasal perforations/ulcerations from occurring annually. Lung cancer and silicosis deaths and illnesses avoided per year by the new standard were obtained from OSHA's preamble to the final rule published in the Federal Register on Feb. 28, 2006.

³ In 1997, silica was put on OSHA's regulatory agenda. In 2003, a draft silica standard underwent a Small Business Regulatory Fairness Enforcement Act (SBREFA) review, but the rule then stalled. Work on the standard was reactivated in 2009, and on Feb. 14, 2011 the draft proposed standard was submitted to the Office of Management and Budget (OMB) for review under Executive Order 12866. OMB review of proposed rules is required to be completed within 120 days under the EO, but due to political pressure from industries opposed to the new rule, as of April 2012, the draft proposed silica standard remained under review at OMB. Fatalities from lung cancer and silicosis prevented per year by adopting a new PEL at 50 ug/m³ were obtained from the preliminary initial regulatory flexibility analysis of the draft proposed standard OSHA prepared for the SBREFA review. An estimated 3,600 to 7,300 new cases of silicosis occur per year in the United States, according to Rosenman et al. Am. J. Indus. Med. 44:141-147 (2003).

Permissible Exposure Limits of OSHA Compared with Other Standards and Recommendations

Chemical	OSHA PEL	California PEL	ACGIH TLV	NIOSH REL	Units
Acetone	1000	500	500	250	ppm
Acrylamide	0.3	0.03	0.03	0.03	mg/m ³
Ammonia	50	25	25	25	ppm
Asphalt Fume	-	5	0.5	5	mg/m ³
Benzene	1	1	0.5	0.1	ppm
Beryllium	2	0.2	0.05	0.5	ug/m ³
Butane	-	800	1000	800	ppm
n-Butanol	100	50	20	50(c) ¹	ppm
Carbon disulfide ²	20	1	1	1	ppm
Carbon monoxide ²	50	25	25	35	ppm
Chlorobenzene	75	10	10	-	ppm
Dimethyl sulfate ²	1	0.1	0.1	0.1	ppm
2-Ethoxyethanol (EGEE)	200	5	5	0.5	ppm
Ethyl acrylate	25	5	5	-	ppm
Gasoline	-	300	300	-	ppm
Glutaraldehyde ²	-	0.05(c) ¹	0.05(c) ¹	0.2(c) ¹	ppm
Potassium hydroxide	-	2(c) ¹	2(c) ¹	2(c) ¹	mg/m ³
Styrene	100	50	20	50	ppm
Tetrachloroethylene ² (Perchloroethylene)	100	25	25	-	ppm
Toluene ²	200	10	20	100	ppm
Triethylamine	25	1(c) ¹	1	-	ppm

¹Ceiling level

²Chemicals identified by OSHA for updates in permissible exposure limits but subsequently dropped from the agency's, regulatory agenda.

Federal OSHA Budget and Personnel Fiscal Year 1975–2012

Fiscal Year	Budget (in dollars – \$)	Positions (Staff Full-Time Equivalent Employment)
2012	564,788,000	2,305
2011	558,619,000	2,335
2010	558,620,000	2,335
2009	513,042,000	2,147
2008	486,001,000	2,118
2007	486,925,000	2,165
2006	472,427,000	2,165
2005	464,224,000	2,208
2004	457,500,000	2,236
2003	453,256,000	2,313
2002	443,651,000	2,313
2001	425,886,000	2,370
2000	381,620,000	2,259
1999	354,129,000	2,154
1998	336,480,000	2,171
1997	324,955,000	2,118
1996	303,810,000	2,069
1995	311,660,000	2,196
1994	296,428,000	2,295
1993	288,251,000	2,368
1992	296,540,000	2,473
1991	285,190,000	2,466
1990	267,147,000	2,425
1989	247,746,000	2,441
1988	235,474,000 ¹	2,378
1987	225,811,000	2,211
1986	208,692,000	2,166
1985	219,652,000	2,239
1984	212,560,000	2,285
1983	206,649,000	2,284
1982	195,465,000	2,359
1981	210,077,000	2,655
1980	186,394,000	2,951
1979	173,034,000	2,886
1978	138,625,000	2,684
1977	130,333,000	2,717
1976	139,243,000	2,494
1975	102,327,000	2,435

Source: Occupational Safety and Health Administration.

¹ Budget and personnel were increased when the California state plan turned back to federal OSHA jurisdiction.

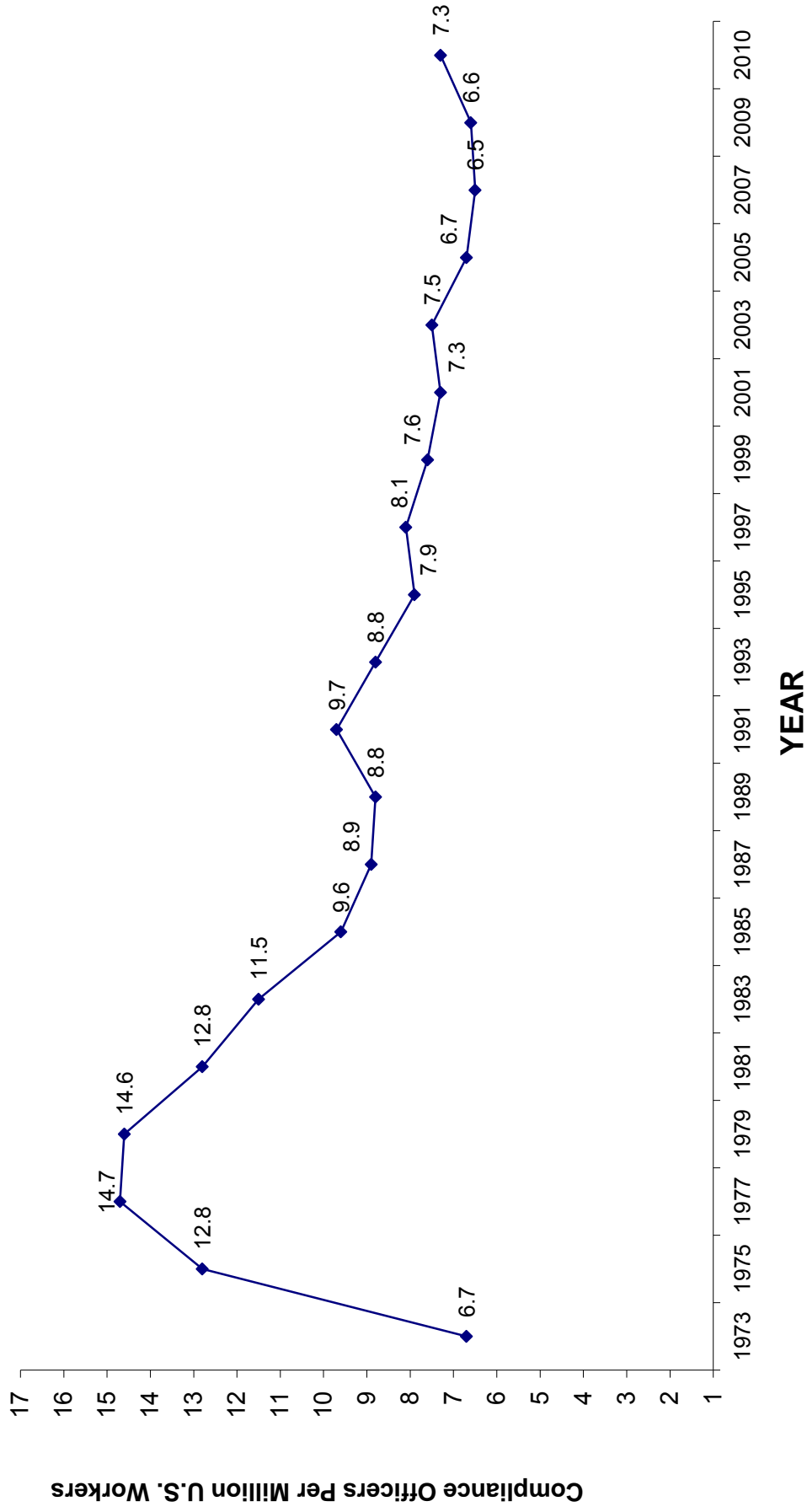
Federal OSHA Safety and Health Compliance Staffing, 1973–2010

Year	Total Number Federal OSHA Compliance Officers ¹	Employment (000) ²	OSHA Compliance Officers Per Million Workers
1973	567	85,064	6.7
1974	754	86,794	8.7
1975	1,102	85,846	12.8
1976	1,281	88,752	14.4
1977	1,353	92,017	14.7
1978	1,422	96,048	14.8
1979	1,441	98,824	14.6
1980	1,469	99,302	14.8
1981	1,287	100,397	12.8
1982	1,003	99,526	10.1
1983	1,160	100,834	11.5
1984	1,040	105,005	9.9
1985	1,027	107,150	9.6
1986	975	109,597	9.0
1987	999	112,440	8.9
1988	1,153	114,968	10.0
1989	1,038	117,342	8.8
1990	1,203	118,793	10.1
1991	1,137	117,718	9.7
1992	1,106	118,492	9.3
1993	1,055	120,259	8.8
1994	1,006	123,060	8.2
1995	986	124,900	7.9
1996	932	126,708	7.4
1997	1,049	129,558	8.1
1998	1,029	131,463	7.8
1999	1,013	133,488	7.6
2000	972	136,891	7.1
2001	1,001	136,933	7.3
2002	1,017	136,485	7.5
2003	1,038	137,736	7.5
2004	1,006	139,252	7.2
2005	956	141,730	6.7
2006	948	144,427	6.6
2007	948	146,047	6.5
2008	936	145,362	6.4
2009	929	139,877	6.6
2010	1,016	139,064	7.3

¹Compliance officers for 1973 to 1989 from Twentieth Century OSHA Enforcement Data, A Review and Explanation of the Major Trends, U.S. Department of Labor, 2002; Compliance officers for 1990 to 2010 from OSHA Directorate of Enforcement Programs. Compliance officer totals include safety and industrial hygiene CSHOs and supervisory safety and industrial hygiene CSHOs.

²Employment is an annual average of employed civilians, 16 years of age and older, from the Current Population Survey (CPS).

Federal OSHA Compliance Officers Per Million U.S. Workers, 1973–2010 ¹



¹Compliance officers from U.S. Department of Labor and OSHA Directorate of Enforcement Programs includes CSHOs and their supervisors. Employment data from Current Population Survey.

Job Safety and Health Appropriations FY 2001–2013

CATEGORY	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011 Request	FY 2012 Request	FY 2012	FY 2013 Request
OSHA (in thousands of dollars)														
TOTAL	425,886	443,651	453,256	457,500	464,224	472,427	486,925	486,001	513,042 ⁴	558,620	573,096	583,386	564,788	565,468
Safety & Health Standards	15,069	16,321	16,119	15,900	15,998	16,462	16,892	16,597	17,204	19,589	23,756	25,982	19,962	21,008
Federal Enforcement	151,836	161,768	164,039	166,000	169,601	172,575	176,973	182,136	197,946	223,399	233,445	216,365	207,753	207,075
Whistleblower Protection														
State Enforcement	88,369	89,747	91,139	92,000	90,985	91,093	91,093	89,502	92,593	104,393	105,893	105,893	104,196	104,196
Technical Support	20,189	19,562	20,234	21,600	20,735	21,435	22,392	21,681	22,632	25,920	26,186	25,950	25,820	24,880
Federal Compliance Assistance	56,255	58,783	61,722	67,000	70,837	72,545	72,659	71,390	72,659	73,380	70,255	74,039	76,355	73,131
State Compliance Assistance	48,834	51,021	53,552	52,200	53,346	53,357	53,357	52,425	54,531	54,798	55,798	55,798	57,890	57,890
Training Grants	11,175	11,175	11,175	10,500	10,423	10,116	10,116	9,939	10,000	10,750	11,000	12,000	10,709	10,709
Safety & Health Statistics	25,597	26,257	26,063	22,200	22,196	24,253	32,274	31,522	34,128	34,875	34,981	34,875	34,739	34,739
Executive Administration/Direction	8,562	9,017	9,213	10,000	10,102	10,591	11,169	10,809	11,349	11,536	11,782	11,536	11,491	11,527
MSHA (in thousands of dollars)														
TOTAL	246,306	254,768	271,741	268,800	279,198	303,286	301,570	333,925	347,003	357,293	360,780	384,277	372,524	371,896
Coal Enforcement	114,505	117,885	119,655	114,800	115,364	117,152	120,396	154,670	154,491	158,662	159,059	161,303	164,500	167,859
Supplemental (emergency)						25,600								
Metal/Non-Metal Enforcement	55,117	61,099	63,910	65,500	66,731	68,062	72,506	71,420	82,427	85,422	88,966	89,990	89,063	91,697
Standards Development	1,760	2,357	2,378	2,300	2,333	2,481	2,727	3,180	3,031	3,481	4,322	4,352	4,765	5,416
Assessments	4,265	4,807	4,866	5,200	5,236	5,391	6,556	6,134	6,134	6,233	6,327	6,574	7,103	6,732
Education Policy & Development	31,455	27,984	27,914	30,400	31,245	31,701	35,326	36,605	38,605	38,605	36,646	36,338	38,325	31,682
Technical Support	27,053	28,085	28,675	24,500	25,104	25,479	29,237	29,476	30,117	30,642	31,637	33,403	33,613	33,791
Program Administration	12,151	12,551	14,323	12,200	15,665	11,906	13,637	16,504	15,684	17,391	14,376	30,465	16,998	16,729
Mine Mapping	--	--	10,000	--	--	--	--							
Program Eval. & Info Resources	--	--	--	13,900	17,520	15,514	21,185	15,936	16,514	16,857	19,447	20,654	18,157	17,990
NIOSH (in thousands of dollars)														
TOTAL	260,134	276,460	274,899	278,885	285,357	254,401 ¹	252,100	381,955	360,059	373,171	456,042	259,934	293,627	249,364
Program Funding								273,863 ²	290,059 ³	302,448 ³	305,905 ³	259,934 ³	293,627 ³	249,364 ³
WTC Health Funding								108,092	70,000	70,723	150,137	N/A ⁶	N/A	N/A ⁶

Source: Budget of the U.S. Government, FY 2001–FY 2013, and U.S. Department of Labor Congressional Budget Justification, FY 2001–FY 2013.

¹\$34.8 million transferred to business services. TAP for administrative services eliminated. Direct comparison with NIOSH funding for earlier years, which included this funding, cannot be made.
²Includes \$50 million for mine safety research, adjusted to \$49.126 million after the rescission.
³Does not include \$55 million for the Energy Employees Occupational Injury Compensation Program funding through mandatory funding.
⁴Does not include \$7 million in Recovery Act provided to OSHA in FY 2009 and FY 2010.
⁵Includes \$6.5 million for addressing the backlog of contested cases, of which up to \$3 million may be transferred to the DOL's Office of Solicitor.
⁶With enactment of the 9/11 Health and Compensation Act, as of July 2011, the WTC health program will be funded through mandatory funding so appropriated funding is not needed after that date.
The FY 2013 Budget Request estimates that \$171 million in mandatory funding will be needed for the WTC Health Program in FY 2013.

**Funding for OSHA Worker Safety Training Programs vs. Employer
Compliance Assistance Programs, FY 2001–2013
(\$ in thousands)**

Fiscal Year	Worker Safety and Health Training	Employer Compliance Assistance (Federal and State)
FY 2001 Enacted	\$11,175	\$105,089
FY 2002 Request	\$8,175	\$106,014
FY 2002 Enacted	\$11,175	\$109,804
FY 2003 Request	\$4,000	\$112,800
FY 2003 Enacted	\$11,175	\$115,274
FY 2004 Request	\$4,000	\$120,000
FY 2004 Enacted	\$11,102	\$119,968
FY 2004 Rescission	\$10,500	\$119,200
FY 2005 Request	\$4,000	\$125,200
FY 2005 Enacted	\$10,500	\$124,200
FY 2006 Request	\$0	\$124,200
FY 2006 Enacted	\$10,116	\$125,902
FY 2007 Request	\$0	\$129,914
FY 2007 Enacted	\$10,116	\$126,015
FY 2008 Request	\$0	\$134,100
FY 2008 Enacted	\$9,939	\$123,815
FY 2009 Request	\$0	\$131,072
FY 2009 Enacted	\$10,000	\$127,190
FY 2010 Request	\$10,000	\$128,178
FY 2010 Enacted	\$10,750	\$128,178
FY 2011 Request	\$11,000	\$126,053
FY 2011 Enacted	\$10,729	\$128,178
FY 2012 Request	\$12,000	\$129,837
FY 2012 Enacted	\$10,700	\$134,245
FY 2013 Request	\$10,700	\$131,021

Sources: Budget of the U.S. Government, FY 2012, and Department of Labor, Occupational Safety and Health Administration.

Number of U.S. Establishments and Employees Covered Per OSHA Full-Time Equivalent (FTE) Staff, 1975–2010

Fiscal Year	Annual Average Employment ¹	Annual Average Establishments ¹	OSHA Full-Time Equivalent (FTE) Staff ²	Establishments Covered Per OSHA FTE	Employees Covered Per OSHA FTE
2010	127,820,442	8,993,109	2,335	3,851	54,741
2009	128,607,842	9,003,197	2,147	4,193	59,901
2008	134,805,659	9,082,049	2,118	4,288	63,648
2007	135,366,106	8,971,897	2,165	4,144	62,525
2006	133,833,834	8,784,027	2,165	4,057	61,817
2005	131,571,623	8,571,144	2,208	3,882	59,589
2000	129,877,063	7,879,116	2,259	3,488	57,493
1995	115,487,841	7,040,677	2,196	3,206	52,590
1990	108,657,200	6,076,400	2,425	2,506	44,807
1985	96,314,200	5,305,400	2,239	2,370	43,017
1980	73,395,500	4,544,800	2,951	1,540	24,871
1975	67,801,400	3,947,740	2,435	1,621	27,845

¹U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages, Annual Averages (Total Covered).

²U.S. Department of Labor, Occupational Safety and Health Administration (OSHA).

8.1 Million State and Local Employees Lack OSHA Coverage



Source: U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages: Annual Averages, 2010.

Prepared by the AFL-CIO

Profiles of Mine Safety and Health

Coal Mines

	2003	2004	2005	2006	2007	2008	2009	2010 *
No. of coal mines	1,972	2,011	2,063	2,113	2,030	2,129	2,076	1,945
No. of miners	104,824	108,734	116,436	122,975	122,936	133,828	134,089	135,415
Fatalities	30	28	23	47	34	30	18	48
Fatal injury rate¹	0.0312	0.0273	0.0205	0.0400	0.0293	0.0237	0.0148	0.0384
All injury rate¹	5.38	5.00	4.62	4.46	4.21	3.89	3.69	3.42
States with coal mining	26	26	26	26	26	26	26	26
Coal production (millions of tons)	1,071	1,111	1,133	1,163	1,147	1,172	1,075	1,086
Citations and orders issued²	56,786	64,367	69,026	77,667	84,221	107,072	102,458	97,082

Metal and Nonmetal Mines

	2003	2004	2005	2006	2007	2008	2009	2010 *
No. of metal/nonmetal mines	12,419	12,467	12,603	12,772	12,841	12,778	12,555	12,319
No. of miners	215,325	220,274	228,401	240,522	255,187	258,918	221,631	225,148
Fatalities	26	27	35	26	33	23	16	23
Fatal injury rate¹	0.0138	0.0137	0.0170	0.0122	0.0149	0.0107	0.0092	0.0129
All injury rate¹	3.65	3.55	3.54	3.19	3.02	2.87	2.54	2.38
States with M/NM mining	50	50	50	50	50	50	50	50
Citations and orders issued²	52,975	56,221	58,740	62,415	59,971	66,860	71,896	74,953

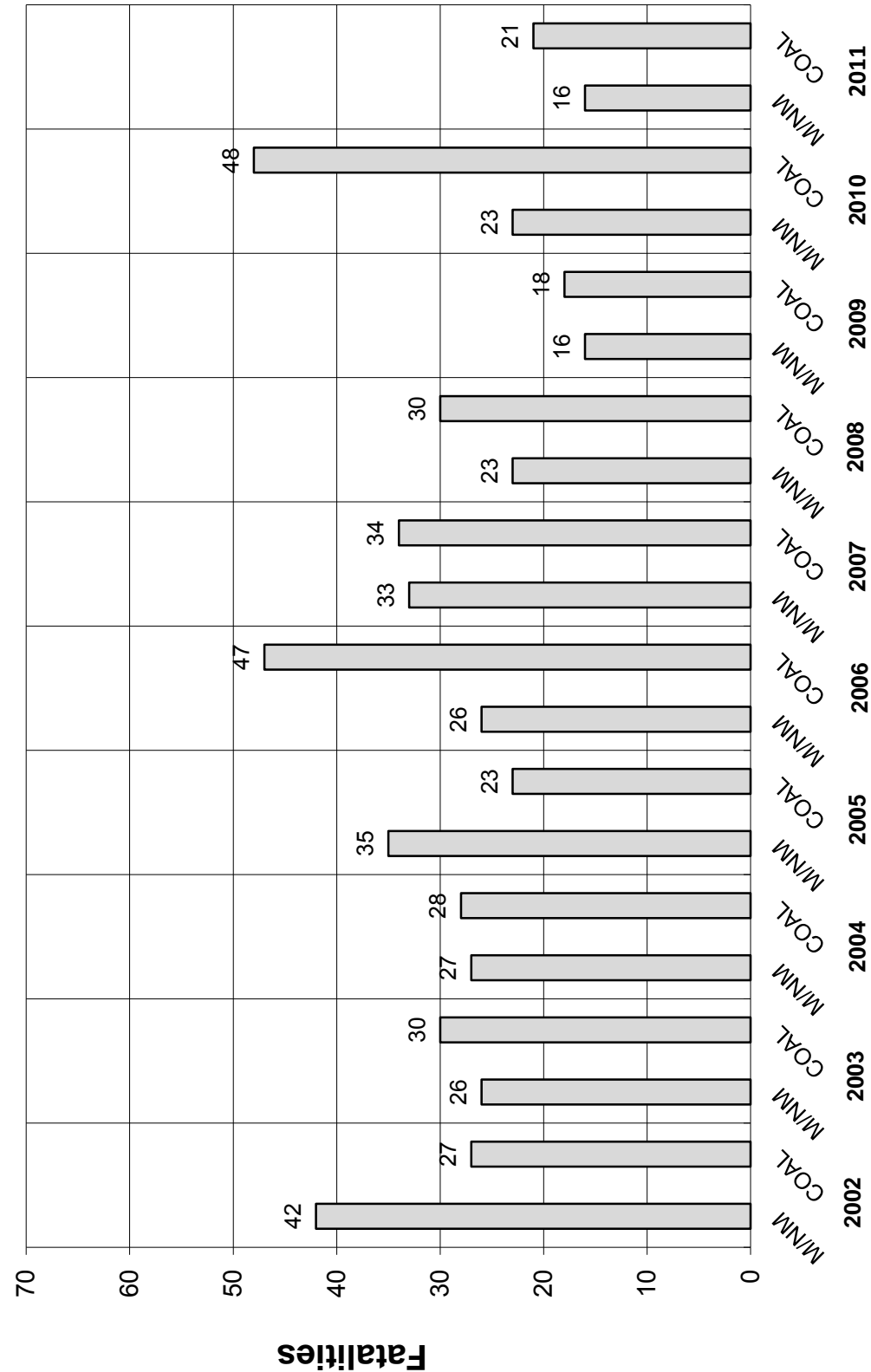
Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

¹All reported injuries per 200,000 employee hours.

²Citations and orders are those not vacated.

*Preliminary data

Comparison of Year-to-Date and Total Fatalities for Metal/Nonmetal and Coal Mining



Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

Coal Mining Fatalities by State, 2001–2011

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	Total
Alabama	14	1	1	2	4	2	3	2	3	2		34
Alaska												0
Arizona						1					1	2
Arkansas	1											1
California												0
Colorado							1				1	2
Connecticut												0
Delaware												0
Florida												0
Georgia												0
Hawaii												0
Idaho												0
Illinois	1		3					1	2	2		9
Indiana	2	1	1	1			3	1		1		10
Iowa												0
Kansas												0
Kentucky	5	10	10	6	8	16	2	8	6	7	8	86
Louisiana									1			1
Maine												0
Maryland						1	2					3

Coal Mining Fatalities by State, 2001–2011

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	Total
Massachusetts												0
Michigan												0
Minnesota												0
Mississippi												0
Missouri												0
Montana						1				1		2
Nebraska												0
Nevada												0
New Hampshire												0
New Jersey												0
New Mexico		1					1				1	3
New York												0
North Carolina												0
North Dakota												0
Ohio	2				1						2	5
Oklahoma					1		1					2
Oregon												0
Pennsylvania	1	3	1	1	4	1	1	5	1			18
Puerto Rico												0
Rhode Island												0

Coal Mining Fatalities by State, 2001–2011

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	Total
South Carolina												0
South Dakota												0
Tennessee				1					1			2
Texas	1						1	1				3
Utah		1		2		1	10					14
Vermont												0
Virginia	2	4	3	3		1		2	1		1	17
Washington												0
West Virginia	13	6	9	12	4	23	9	9	3	35	6	129
Wisconsin												0
Wyoming		1	2		1			1			1	6
Total	42	28	30	28	23	47	34	30	18	48	21	349

Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

Metal and Nonmetal Mining Fatalities by State, 2001–2011

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	Total
Alabama	1		2		1					1		5
Alaska						2	3				2	7
Arizona	2	4			2	1	2	2	1	2		16
Arkansas		1	1				2		1			5
California	1		2			2	3	2	1	2		13
Colorado	2	2	1		2							7
Connecticut												0
Delaware												0
Florida	1	4			2	1				1	1	10
Georgia	1	1	1	1				1	1	1		7
Hawaii	1											1
Idaho	2	1								1	2	6
Illinois		2	1									3
Indiana		1		2		1	1					5
Iowa	1			1				2	1		1	6
Kansas			1					1		2		4
Kentucky	1		1		3	1		1	1			8
Louisiana						1	1		1			3
Maine												0
Maryland		1								1		2

Metal and Nonmetal Mining Fatalities by State, 2001–2011

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	Total
Massachusetts						1						1
Michigan		1	1	2	1	3						8
Minnesota	1				1	3	2		1		2	10
Mississippi					2							2
Missouri		3		2	1		2	2	2			12
Montana	3				1		1				1	6
Nebraska		1			1		1					3
Nevada	4	2	2	4	3		2	3	1	2	1	24
New Hampshire			1				1					2
New Jersey			1		1							2
New Mexico		2	1	1	2			1	1			8
New York		1		1				1		1	1	5
North Carolina	2		1	1			1				1	6
North Dakota												0
Ohio			2		2		2				1	7
Oklahoma	1			2						3		6
Oregon		2	1	2	1	1	1					8
Pennsylvania	1			2	1	2		2	1		1	10
Puerto Rico		1				1	1		1			4
Rhode Island												0

Metal and Nonmetal Mining Fatalities by State, 2001–2011

State	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	Total
South Carolina		1	2	1	1							5
South Dakota		1										1
Tennessee		3	1	1	1	2	1		1	1		11
Texas		4	2	3	2	1	2	3	2	2		21
Utah	1					1		1		1	1	5
Vermont												0
Virginia					1	1	1					3
Washington	2	1	1		1	1	1			1	1	9
West Virginia							1					1
Wisconsin	1				1			1				3
Wyoming	1	2		1	1		1					6
Total	30	42	26	27	35	26	33	23	16	23	16	297

Source: U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

MSHA Impact Inspections 2011 ¹

Citation	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	Year Totals
Coal													
Total # Citations Issued	215	131	60	161	353	169	256	311	321	163	251	193	2,584
# Orders ² Issued	7	4	4	36	12	12	24	37	28	18	50	19	251
# S&S ³ Citations Issued	86	70	25	87	165	61	125	127	164	72	127	83	1,192
% S&S Citations	40.0%	53.9%	42.4%	54.0%	47.3%	36.9%	49.0%	41.5%	51.7%	44.2%	51.8%	43.5%	46.1%
Metal/Nonmetal													
Total # Citations Issued	162	35	74	94	75	25	119	45	53	63	64	128	937
# Orders ² Issued	14	8	5	1	13	4	11	0	1	12	2	16	87
# S&S ³ Citations Issued	56	20	28	32	33	8	50	13	20	33	19	69	381
% S&S Citations	35.2%	57.1%	37.8%	34.0%	44.0%	32.0%	42.0%	28.9%	37.7%	52.4%	30.2%	53.9%	40.7%

Source: Mine Safety and Health Administration (MSHA).

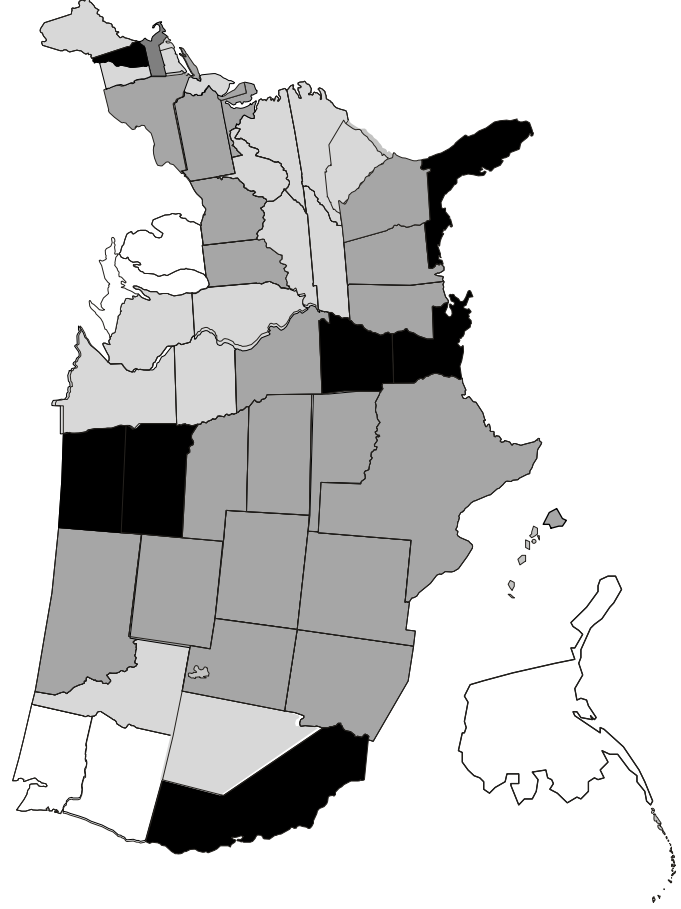
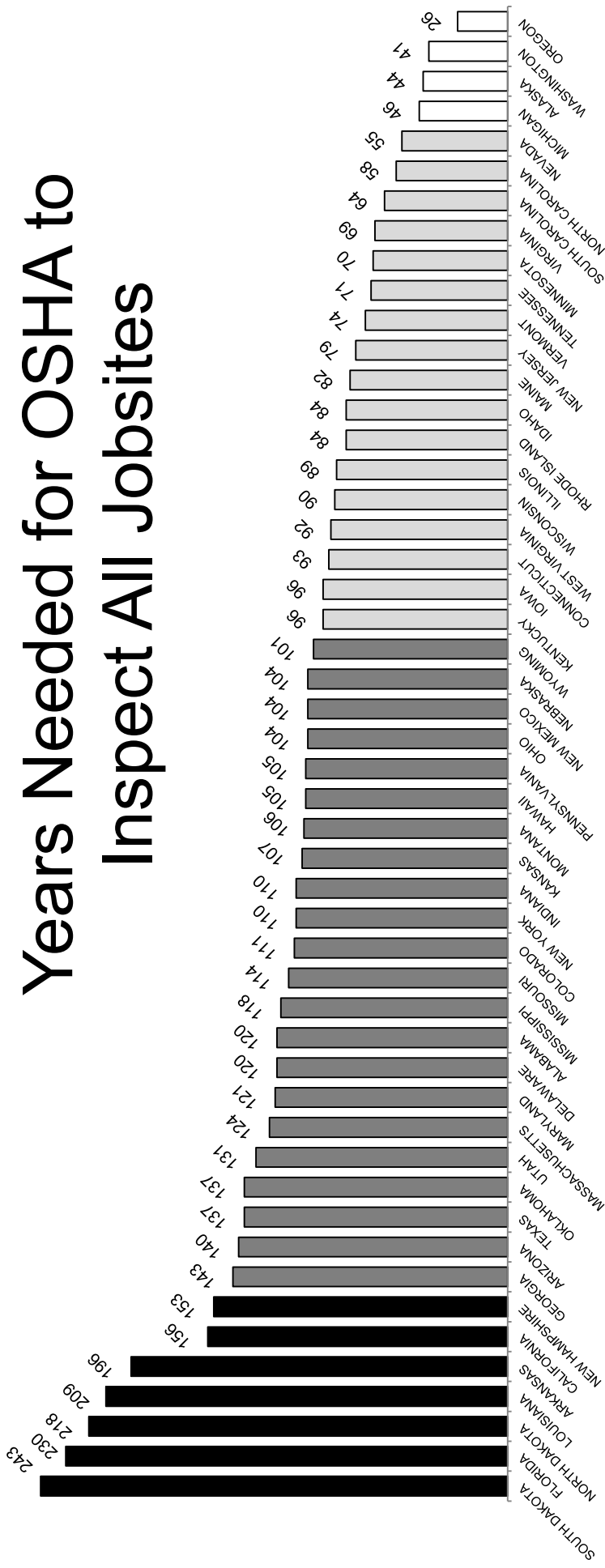
¹ Impact inspections were initiated following the April 2010 explosion at the Upper Big Branch Mine. The inspections are conducted at mines with a poor compliance history with MSHA standards, high numbers of injuries, illnesses or fatalities and other indicators of unsafe mines.

² A Significant and Substantial (S&S) citation is a violation of a mandatory MSHA standard in which the hazard resulting from the violation has a reasonable likelihood of resulting in an injury of a reasonably serious nature.

³ MSHA can issue orders to mine operators that require them to withdraw miners from affected areas of the mine for failure to abate violations, for "unwarrantable failure" (reckless disregard, intentional misconduct) to correct significant and substantial violations, and where imminent danger exists. Miners remain withdrawn from the affected area until the violation(s) are abated.

STATE COMPARISONS

Years Needed for OSHA to Inspect All Jobsites



- 0-49 years (4 states)
- 50-99 years (17 states)
- 100-149 years (22 states)
- 150 years or more (7 states)

Source: U.S. Department of Labor, Bureau of Labor Statistics, "Employment and Wages Annual Averages 2010" and Occupational Safety and Health Administration IMIS and OIS data on worksite inspections, FY 2011.

Number of OSHA Inspectors by State Compared with ILO Benchmark Number of Labor Inspectors ¹

State	Number of Employees ²	Actual Number of OSHA Inspectors ³	Number of Labor Inspectors Needed to Meet ILO Benchmark ⁴	Ratio of OSHA Inspectors/Number of Employees
Alabama	1,813,155	26	181	1/69,737
Alaska	316,691	14	32	1/22,620
Arizona	2,356,789	28	236	1/84,171
Arkansas	1,134,071	9	113	1/126,008
California	14,414,461	275	1,441	1/52,416
Colorado	2,176,986	30	218	1/72,566
Connecticut	1,595,713	24	160	1/66,488
Delaware	399,078	4	40	1/99,770
Florida	7,109,630	64	711	1/111,088
Georgia	3,753,934	52	375	1/72,191
Hawaii	586,772	22	59	1/26,671
Idaho	605,571	9	61	1/67,286
Illinois	5,502,322	78	550	1/70,543
Indiana	2,709,831	71	271	1/38,167
Iowa	1,436,340	28	144	1/51,298
Kansas	1,297,779	15	130	1/86,519
Kentucky	1,712,178	40	171	1/42,804
Louisiana	1,832,357	15	183	1/122,157
Maine	577,790	9	58	1/64,199
Maryland	2,453,197	63	245	1/38,940
Massachusetts	3,149,169	35	315	1/89,976
Michigan	3,770,225	77	377	1/48,964

Number of OSHA Inspectors by State Compared with ILO Benchmark Number of Labor Inspectors ¹

State	Number of Employees ²	Actual Number of OSHA Inspectors ³	Number of Labor Inspectors Needed to Meet ILO Benchmark ⁴	Ratio of OSHA Inspectors/Number of Employees
Minnesota	2,558,310	59	256	1/43,361
Mississippi	1,074,617	15	107	1/71,641
Missouri	2,573,703	27	257	1/95,322
Montana	419,231	7	42	1/59,890
Nebraska	896,936	10	90	1/89,694
Nevada	1,108,238	42	111	1/26,387
New Hampshire	600,697	6	60	1/100,116
New Jersey	3,735,703	69	374	1/54,141
New Mexico	781,694	11	78	1/71,063
New York	8,340,732	115	834	1/72,528
North Carolina	3,788,581	122	379	1/31,054
North Dakota	358,635	4	36	1/89,659
Ohio	4,908,571	58	491	1/84,631
Oklahoma	1,485,400	17	149	1/87,376
Oregon	1,598,173	79	160	1/20,230
Pennsylvania	5,472,171	66	547	1/82,912
Rhode Island	447,408	7	45	1/63,915
South Carolina	1,758,204	29	176	1/60,628
South Dakota	389,198	N/A	39	N/A
Tennessee	2,558,438	37	256	1/69,147
Texas	10,182,150	98	1,018	1/103,899
Utah	1,150,737	22	115	1/52,306
Vermont	293,058	10	29	1/29,306

Number of OSHA Inspectors by State Compared with ILO Benchmark Number of Labor Inspectors¹

State	Number of Employees ²	Actual Number of OSHA Inspectors ³	Number of Labor Inspectors Needed to Meet ILO Benchmark ⁴	Ratio of OSHA Inspectors/Number of Employees
Virginia	3,536,676	60	354	1/58,945
Washington	2,808,698	117	281	1/24,006
West Virginia	692,448	9	69	1/76,939
Wisconsin	2,633,572	37	263	1/71,178
Wyoming	271,151	8	27	1/33,894
Totals ⁵	127,820,442	2,178	12,782	1/58,687

¹The ILO benchmark for labor inspectors is one inspector per 10,000 workers in industrial market economies.

²U.S. Department of Labor, Bureau of Labor Statistics, Employment and Wages, Annual Averages 2010.

³U.S. Department of Labor, OSHA. Summary of Federal CSHO Totals by State FY 2012 and Summary of State Safety and Health Compliance Staffing, FY 2012. Total number of inspectors includes 49 inspectors in Puerto Rico and the Virgin Islands.

⁴International Labor Office. Strategies and Practice for Labor Inspection. G.B.297/ESP/3. Geneva, November 2006.

⁵Total number includes employees from the District of Columbia, Puerto Rico and the Virgin Islands.

Profile of Workplace Safety and Health in the United States

State	Fatalities 2010 ¹			Injuries/Illnesses 2010 ²		Penalties ³ FY 2011		Inspectors ⁴	Years to Inspect Each Workplace Once	State or Federal Program ⁵
	Number	Rate	Rank ⁶	Number	Rate	Average (\$)	Rank ⁷			
Alabama	92	4.7	35	44,900	3.5	2,352	7	26	120	Federal
Alaska	39	11.8	48	9,100	4.5	707	47	14	44	State
Arizona	77	2.7	12	53,700	3.3	1,030	36	28	140	State
Arkansas	88	7.2	44	26,800	3.3	2,311	9	9	196	Federal
California	326	2.0	4	351,000	3.7	4,851	1	275	156	State
Colorado	85	3.4	22	N/A	N/A	1,721	31	30	111	Federal
Connecticut	49	2.9	15	45,600	4.0	1,831	29	24	93	Federal
Delaware	8	2.0	4	8,800	3.2	2,569	5	4	120	Federal
Florida	225	2.8	13	170,400	3.4	1,997	26	64	230	Federal
Georgia	108	2.5	8	83,100	3.1	2,002	25	52	143	Federal
Hawaii	19	3.3	20	14,000	3.9	907	39	22	105	State
Idaho	33	4.8	36	N/A	N/A	1,919	27	9	84	Federal
Illinois	206	3.5	26	125,100	3.3	2,151	17	78	89	Federal
Indiana	118	4.2	33	78,400	4.1	886	41	71	110	State
Iowa	77	4.9	37	43,900	4.4	1,289	33	28	96	State
Kansas	85	6.1	43	33,100	3.7	2,243	12	15	107	Federal

Profile of Workplace Safety and Health in the United States

State	Fatalities 2010 ¹			Injuries/Illnesses 2010 ²		Penalties ³ FY 2011		Inspectors ⁴	Years to Inspect Each Workplace Once	State or Federal Program ⁵
	Number	Rate	Rank ⁶	Number	Rate	Average (\$)	Rank ⁷			
Kentucky	69	3.7	29	49,200	4.2	2,248	11	40	96	State
Louisiana	111	5.8	39	34,800	2.7	2,350	8	15	209	Federal
Maine	20	3.2	17	21,000	5.6	2,231	14	9	82	Federal
Maryland	71	2.5	8	58,900	3.6	726	46	63	121	State
Massachusetts	54	1.7	2	69,700	3.2	2,183	16	35	124	Federal
Michigan	146	3.4	22	106,800	4.2	463	49	77	46	State
Minnesota	70	2.6	10	66,700	3.8	730	45	59	70	State
Mississippi	68	5.9	42	N/A	N/A	1,851	28	15	118	Federal
Missouri	106	3.9	31	61,700	3.4	2,014	23	27	114	Federal
Montana	36	8.0	45	13,000	5.0	2,597	4	7	106	Federal
Nebraska	54	5.8	39	25,700	4.2	2,984	2	10	104	Federal
Nevada	38	3.4	22	29,700	3.8	2,263	10	42	55	State
New Hampshire	6	0.9	1	N/A	N/A	2,656	3	6	153	Federal
New Jersey	81	2.0	4	82,500	3.2	2,233	13	69	79	Federal
New Mexico	38	4.5	34	18,900	3.7	1,025	37	37	104	State
New York	182	2.1	7	154,200	2.7	2,043	22	115	110	Federal

Profile of Workplace Safety and Health in the United States

State	Fatalities 2010 ¹			Injuries/Illnesses 2010 ²		Penalties ³ FY 2011		Inspectors ⁴	Years to Inspect Each Workplace Once	State or Federal Program ⁵
	Number	Rate	Rank ⁶	Number	Rate	Average (\$)	Rank ⁷			
North Carolina	139	3.4	22	79,500	3.1	1,081	35	122	58	State
North Dakota	30	8.4	46	N/A	N/A	2,091	21	4	218	Federal
Ohio	161	3.1	16	N/A	N/A	2,010	24	58	104	Federal
Oklahoma	94	5.8	39	40,900	4.0	2,098	19	17	137	Federal
Oregon	47	2.6	10	42,400	3.9	346	50	79	26	State
Pennsylvania	221	3.8	30	N/A	N/A	2,197	15	66	105	Federal
Rhode Island	9	1.8	3	N/A	N/A	1,758	30	7	84	Federal
South Carolina	69	3.6	28	37,000	3.1	519	48	29	64	State
South Dakota	36	8.6	47	N/A	N/A	2,107	18	N/A	243	Federal
Tennessee	138	4.9	37	65,400	3.7	894	40	37	71	State
Texas	461	4.1	32	189,800	2.7	2,540	6	98	137	Federal
Utah	41	3.2	17	25,800	3.4	974	38	22	131	State
Vermont	12	3.5	26	9,800	5.2	886	41	10	74	State
Virginia	107	2.8	13	74,900	3.1	798	43	60	69	State
Washington	104	3.3	20	86,700	4.8	737	44	117	41	State
West Virginia	95	13.1	50	20,400	4.4	1,636	32	9	92	Federal

Profile of Workplace Safety and Health in the United States

State	Fatalities 2010 ¹		Injuries/Illnesses 2010 ²		Penalties ³ FY 2011		Inspectors ⁴	Years to Inspect Each Workplace Once	State or Federal Program ⁵
	Number	Rate	Rank ⁶	Number	Rate	Average (\$)	Rank ⁷		
Wisconsin	91	3.2	17	77,100	4.3	2,094	20	37	90
Wyoming	33	11.9	49	7,400	4.0	1,147	34	8	101
Total or National Average:	4,690	3.6		3.1 Million	3.5	\$1,576 ⁸		2,178 ⁹	97 ¹⁰

¹The state fatality rates for 2010 have not been calculated yet by BLS. The AFL-CIO calculated preliminary 2010 state fatality rates per 100,000 workers using the numbers of deaths reported by BLS for 2010 and the employment status of the civilian noninstitutional population 2010 annual average from the BLS Current Population Survey (CPS).

²Bureau of Labor Statistics, rate of total cases per 100 workers. Number and rate are for private sector only and include Guam, Puerto Rico and the Virgin Islands.

³U.S. Department of Labor, OSHA and IMIS Inspection Reports. Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011. Penalties shown are averages per serious citation for conditions creating a substantial probability of death or serious physical harm to workers. For Connecticut, Illinois, New Jersey and New York, averages are based only on federal data. Penalty data for FY 2011 does not include penalty information from approximately 4,500 inspections conducted in federal states in several OSHA regional offices that converted from IMIS to the new OIS data system at some point during FY 2011.

⁴From OSHA records, FY 2012. Includes only safety and industrial hygiene Compliance Safety and Health Officers (CSHOs) who conduct workplace inspections. Supervisory CSHOs are included if they spend at least 50 percent of their time conducting inspections.

⁵Under the OSHAct, states may operate their own OSHA programs. Connecticut, Illinois, New Jersey and New York have state programs covering state and local employees only. Twenty-one states and one territory have state OSHA programs covering both public- and private-sector workers.

⁶Rankings are based on best-to-worst fatality rate (1–best, 50–worst).

⁷Rankings are based on highest-to-lowest average penalty (\$) per serious violation (1–highest, 50–lowest).

⁸National average is per citation average for federal OSHA serious penalties and state OSHA plan states' serious penalties combined. Federal serious penalties average \$2,107 per citation; state plan OSHA states average \$942 per citation.

⁹Total number of inspectors includes 892 federal OSHA inspectors and 1,286 state OSHA inspectors, including inspectors in the Virgin Islands and Puerto Rico.

¹⁰Frequency of all covered establishments for all states combined. Average inspection frequency of covered establishments for federal OSHA states is once every 131 years; inspection frequency of covered establishments for state OSHA plan states is once every 73 years.

State-by-State OSHA Fatality Investigations, FY 2011

State	Number of OSHA Fatality Investigations Conducted, FY 2011 ¹	Total Penalties ¹ (\$)	Average Total Penalty Per Investigation (\$)	Median Initial Penalty ² (\$)	Median Current Penalty ² (\$)	State or Federal Program ³
Alabama	29	653,175	22,523	11,000	10,900	Federal
Alaska	5	55,790	11,158	11,250	11,200	State
Arizona	13	81,855	6,297	10,500	7,125	State
Arkansas	29	269,190	9,282	9,800	8,400	Federal
California	182	2,580,605	14,179	5,550	5,130	State
Colorado	6	158,470	26,412	9,550	8,260	Federal
Connecticut	7	29,740	4,249	21,000	6,870	Federal
Delaware	1	0	0	0	0	Federal
Florida	72	443,381	6,158	6,300	6,300	Federal
Georgia	38	801,756	21,099	20,280	13,930	Federal
Hawaii	9	439,650	48,850	10,000	9,500	State
Idaho	2	16,100	8,050	2,100	1,750	Federal
Illinois	36	1,215,270	33,758	7,200	7,000	Federal
Indiana	47	567,975	12,085	8,300	4,650	State
Iowa	23	192,637	8,376	5,000	4,500	State
Kansas	22	275,225	12,510	12,000	7,420	Federal
Kentucky	27	215,025	7,964	3,375	3,000	State
Louisiana	46	258,529	5,620	8,000	7,000	Federal
Maine	5	22,500	4,500	9,500	7,900	Federal
Maryland	16	41,980	2,624	3,800	3,800	State
Massachusetts	21	149,480	7,118	14,000	9,620	Federal
Michigan	43	534,965	12,441	6,300	3,500	State
Minnesota	21	392,625	18,696	26,500	26,375	State
Mississippi	13	314,365	24,182	24,075	17,100	Federal
Missouri	16	320,360	20,023	15,488	10,840	Federal

State-by-State OSHA Fatality Investigations, FY 2011

State	Number of OSHA Fatality Investigations Conducted, FY 2011 ¹	Total Penalties ¹ (\$)	Average Total Penalty Per Investigation (\$)	Median Initial Penalty ² (\$)	Median Current Penalty ² (\$)	State or Federal Program ³
Montana	1	8,400	8,400	8,400	8,400	Federal
Nebraska	4	247,160	61,790	22,000	14,000	Federal
Nevada	10	175,446	17,545	11,326	11,326	State
New Hampshire	1	3,500	3,500	3,500	2,625	Federal
New Jersey	22	190,447	8,657	11,305	8,295	Federal
New Mexico	13	36,100	2,777	6,663	6,663	State
New York	57	639,326	11,216	11,090	7,157	Federal
North Carolina	61	242,775	3,980	4,050	3,300	State
North Dakota	3	124,200	41,400	9,800	9,800	Federal
Ohio	24	1,301,901	54,246	16,830	12,600	Federal
Oklahoma	22	101,088	4,595	7,000	6,650	Federal
Oregon	20	31,825	1,591	2,500	2,500	State
Pennsylvania	75	837,674	11,169	7,200	6,650	Federal
Rhode Island	3	48,920	16,307	48,620	43,880	Federal
South Carolina	18	37,799	2,100	3,250	1,688	State
South Dakota	1	6,300	6,300	6,300	6,300	Federal
Tennessee	32	238,990	7,468	6,400	5,025	State
Texas	148	1,709,998	11,554	11,650	9,345	Federal
Utah	16	12,513	782	3,000	1,850	State
Vermont	1	0	0	0	0	State
Virginia	35	775,740	22,164	11,675	11,675	State
Washington	35	2,604,350	74,410	5,400	5,400	State
West Virginia	11	161,875	14,716	16,100	15,488	Federal
Wisconsin	16	397,587	24,849	23,100	15,000	Federal
Wyoming	7	74,700	10,671	23,325	20,400	State

State-by-State OSHA Fatality Investigations, FY 2011

State	Number of OSHA Fatality Investigations Conducted, FY 2011 ¹	Total Penalties ¹ (\$)	Average Total Penalty Per Investigation (\$)	Median Initial Penalty ² (\$)	Median Current Penalty ² (\$)	State or Federal Program ³
National Median State Plan States				6,662	5,900	
National Median Federal States				11,197	7,900	
Total or National Average ⁴	1,434	22,254,757	15,519			

¹OSHA IMIS Fatality Inspection Reports, FY 2011. Report was issued on Dec. 19, 2011.

²Median initial and median current penalties on FY 2011 fatality investigations provided by OSHA on Dec. 19, 2011. National median penalties include investigations conducted in Puerto Rico and District of Columbia.

³Under the OSHAct, states may operate their own OSHA programs. Connecticut, Illinois, New Jersey and New York have state programs covering state and local employees only. Twenty-one states and one territory have state OSHA programs covering both public- and private-sector workers.

⁴National investigation for all federal OSHA and state OSHA plan states combined. Federal OSHA average is \$16,514 per fatality investigation; for state plan OSHA states, the average is \$14,416 per fatality investigation. Total investigations, total penalties, and national average penalty per investigation includes investigations conducted in Puerto Rico and District of Columbia.

Workplace Safety and Health Statistics by State, 2005–2010

State	Fatality Rates ^{1*}						Injury/Illness Rates ²						Average Penalties (\$) ³						
	2005	2006	2007	2008	2009	2010	2005	2006	2007	2008	2009	2010	FY05	FY06	FY07	FY08	FY09	FY10	FY11
Alabama	6.1	4.8	5.1	5.3	4.3	4.7	4.6	4.7	4.5	4.1	3.6	3.5	1,195	1,290	1,120	1,189	1,257	1,167	2,352
Alaska	8.2	13.7	8.9	10.6	5.6	11.8	6.2	6.2	5.5	5.1	4.5	4.5	683	719	825	714	812	886	707
Arizona	3.6	3.8	3.2	3.4	2.9	2.7	4.8	4.4	4.4	3.7	3.5	3.3	1,144	1,100	1,272	1,093	1,086	1,008	1,030
Arkansas	6.1	6.1	6.9	6.8	6.4	7.2	5.0	4.4	3.9	4.5	3.5	3.3	826	933	1,062	1,253	1,364	1,259	2,311
California	2.7	3.1	2.6	2.8	2.6	2.0	4.7	4.3	4.4	3.9	3.7	3.7	5,597	5,398	5,102	4,890	4,617	4,631	4,851
Colorado	5.2	5.3	4.9	4.2	3.4	3.4	N/A	N/A	N/A	N/A	N/A	N/A	981	886	1,042	1,000	888	801	1,721
Connecticut	2.6	2.2	2.1	1.6	2.0	2.9	5.0	4.8	4.8	4.6	4.2	4.0	732	767	1,034	1,015	1,025	1,249	1,831
Delaware	2.6	3.5	2.3	2.3	1.9	2.0	3.7	3.8	3.4	3.3	3.1	3.2	1,000	1,137	1,064	968	1,092	1,895	2,569
Florida	4.8	4.1	4.1	3.5	3.2	2.8	4.5	4.4	3.9	3.8	3.5	3.4	1,009	1,049	1,067	1,115	933	1,025	1,997
Georgia	4.5	4.3	4.1	4.2	2.8	2.5	4.3	4.0	3.5	3.3	3.1	3.1	1,071	1,043	996	1,096	968	1,036	2,002
Hawaii	2.3	4.3	3.5	2.4	2.1	3.3	4.9	4.8	4.6	4.3	4.0	3.9	690	586	730	837	683	779	907
Idaho	4.9	5.3	4.2	5.1	4.3	4.8	N/A	N/A	N/A	N/A	N/A	N/A	671	643	742	810	729	1,018	1,919
Illinois	3.2	3.3	2.9	3.3	2.9	3.5	4.1	4.1	3.8	3.6	3.5	3.3	824	757	947	984	891	991	2,151
Indiana	5.1	4.8	4.1	5.0	4.7	4.2	5.8	5.4	5.1	4.7	4.2	4.1	617	715	815	932	819	900	886
Iowa	5.6	4.5	5.5	5.9	5.6	4.9	6.5	6.0	5.5	5.0	4.6	4.4	1,764	935	1,055	850	977	1,230	1,289
Kansas	5.5	5.9	6.8	5.3	5.8	6.1	5.3	5.1	5.1	4.5	4.1	3.7	616	592	537	586	872	1,283	2,243
Kentucky	6.3	7.7	5.7	5.9	6.0	3.7	6.2	5.2	5.2	4.7	4.2	4.2	1,470	1,322	1,764	1,652	1,279	1,410	2,248
Louisiana	5.6	6.2	7.3	7.3	8.0	5.8	3.1	3.0	2.9	2.8	2.8	2.7	800	646	717	1,343	979	1,287	2,350
Maine	2.2	3.0	3.1	3.9	2.8	3.2	7.2	7.0	6.4	6.0	5.6	5.6	704	723	745	1,048	1,072	1,115	2,231
Maryland	3.3	3.7	2.9	2.2	2.5	2.5	4.2	3.8	3.7	3.3	3.3	3.6	765	737	641	704	688	854	726
Massachusetts	2.3	2.0	2.3	2.2	2.2	1.7	4.2	3.9	4.0	3.6	N/A	3.2	1,034	939	902	1,003	1,107	1,119	2,183
Michigan	2.3	3.3	2.5	2.8	2.3	3.4	5.3	5.0	4.9	4.4	4.2	4.2	479	460	459	458	438	392	463
Minnesota	3.1	2.8	2.6	2.5	2.4	2.6	5.0	5.0	4.7	4.2	3.8	3.8	625	632	603	635	599	631	730

Workplace Safety and Health Statistics by State, 2005–2010

State	Fatality Rates ^{1*}						Injury/Illness Rates ²						Average Penalties (\$) ³						
	2005	2006	2007	2008	2009	2010	2005	2006	2007	2008	2009	2010	FY05	FY06	FY07	FY08	FY09	FY10	FY11
Mississippi	8.9	7.7	7.4	6.3	6.3	5.9	N/A	N/A	N/A	N/A	N/A	N/A	958	901	827	1,063	775	991	1,851
Missouri	6.4	5.8	5.3	5.4	5.6	3.9	5.4	4.7	4.6	3.6	3.5	3.4	633	724	691	692	798	849	2,014
Montana	10.3	9.4	10.6	8.2	12.1	8.0	6.6	6.9	6.3	6.4	5.3	5.0	626	626	640	811	900	1,021	2,597
Nebraska	3.8	6.0	6.5	5.7	6.2	5.8	5.0	5.0	5.0	4.4	4.1	4.2	851	1,037	1,175	1,026	1,106	1,279	2,984
Nevada	4.9	4.0	5.1	3.3	2.2	3.4	5.7	5.5	4.8	4.5	4.3	3.8	928	1,199	1,148	1,086	1,085	1,161	2,263
New Hampshire	2.5	1.8	1.9	1.1	0.9	0.9	N/A	N/A	N/A	N/A	N/A	N/A	888	849	874	859	1,002	1,640	2,656
New Jersey	2.6	2.1	2.4	2.3	2.6	2.0	3.8	3.6	3.5	3.2	3.3	3.2	846	815	878	952	1,057	1,106	2,233
New Mexico	4.7	6.6	5.6	3.5	5.2	4.5	4.4	4.5	4.6	3.8	4.2	3.7	1,222	758	908	914	867	1,257	1,025
New York	2.7	2.6	2.4	2.4	2.2	2.1	3.2	3.0	3.1	2.8	2.9	2.7	906	928	924	1,009	1,005	991	2,043
North Carolina	3.8	3.9	3.8	3.9	3.3	3.4	4.0	4.0	3.7	3.4	3.1	3.1	481	529	433	513	508	884	1,081
North Dakota	6.3	8.9	7.0	8.3	7.9	8.4	N/A	N/A	N/A	N/A	N/A	N/A	720	664	737	887	754	1,180	2,091
Ohio	3.0	3.4	2.9	3.2	2.8	3.1	N/A	N/A	N/A	N/A	N/A	N/A	815	923	940	994	912	1,014	2,010
Oklahoma	5.7	5.5	6.2	6.4	5.3	5.8	4.6	4.7	4.5	4.5	4.0	4.0	1,202	889	917	934	1,188	1,169	2,098
Oregon	3.6	4.8	3.6	3.1	3.9	2.6	5.4	5.3	5.1	4.6	4.4	3.9	272	300	292	347	331	305	346
Pennsylvania	3.7	4.0	3.6	4.1	3.1	3.8	N/A	N/A	N/A	N/A	N/A	N/A	775	839	817	770	908	1,105	2,197
Rhode Island	1.1	1.8	0.9	1.2	1.5	1.8	5.5	5.2	5.1	N/A	N/A	N/A	800	785	814	834	868	1,032	1,758
South Carolina	6.7	4.8	5.9	4.5	4.0	3.6	3.6	3.6	3.6	3.1	3.2	3.1	405	358	363	331	288	298	519
South Dakota	7.5	8.7	5.1	6.9	5.9	8.6	N/A	N/A	N/A	N/A	N/A	N/A	745	559	493	599	579	898	2,107
Tennessee	5.0	5.3	5.3	5.1	4.5	4.9	4.8	4.8	4.5	4.2	3.8	3.7	889	885	645	648	620	824	894
Texas	4.6	4.4	4.8	4.4	4.6	4.1	3.6	3.7	3.4	3.1	2.9	2.7	1,109	1,014	1,049	1,085	1,106	1,132	2,540
Utah	4.4	4.7	5.8	5.1	3.9	3.2	5.6	5.2	5.0	4.7	4.0	3.4	1,086	1,073	779	925	732	1,019	974
Vermont	2.0	4.1	2.6	3.2	2.9	3.5	6.2	5.5	5.9	5.5	5.2	5.2	652	546	604	564	582	732	886
Virginia	4.9	4.2	3.7	4.1	3.3	2.8	4.0	3.5	3.2	3.1	2.9	3.1	568	473	511	541	510	663	798

Workplace Safety and Health Statistics by State, 2005–2010

State	Fatality Rates ^{1*}						Injury/Illness Rates ²						Average Penalties (\$) ³							
	2005	2006	2007	2008	2009	2010	2005	2006	2007	2008	2009	2010	FY05	FY06	FY07	FY08	FY09	FY10	FY11	
Washington	2.6	2.6	2.7	2.6	2.5	3.3	6.1	6.6	6.1	5.6	5.1	4.8	379	384	464	603	459	595	737	
West Virginia	6.1	10.3	7.7	7.2	5.7	13.1	5.5	5.1	5.2	4.7	4.4	4.4	649	710	734	920	898	1,007	1,636	
Wisconsin	4.3	3.1	3.5	2.7	3.4	3.2	5.8	5.5	5.3	4.9	4.2	4.3	921	848	947	1,038	919	1,025	2,094	
Wyoming	16.8	13.1	17.1	12.4	7.5	11.9	5.8	4.8	4.6	4.6	4.0	4.0	312	515	377	444	402	482	1,147	
National Average	4.0	4.0	3.8	3.7	3.5	3.6	4.6	4.4	4.2	3.9	3.6	3.5	\$883	\$881	\$909	\$921	\$882	\$972	\$1,576	

¹Bureau of Labor Statistics, rate per 100,000 workers.

²Bureau of Labor Statistics; rate of total cases per 100 workers. Number and rate are for private-sector only and includes Guam, Puerto Rico and the Virgin Islands. Due to revisions of the OSHA recordkeeping requirements, the estimates from the BLS 2002 survey and beyond are not comparable with those from previous years.

³U.S. Department of Labor, OSHA and IMIS Inspection Reports, National by Region for 18(B) State (only) and/or National by Region for Federal (only), FY2005 through FY2011. Penalties shown are averages per serious citation for conditions creating a substantial probability of death or serious physical harm to workers. For Connecticut, Illinois, New Jersey and New York, averages are based only on federal data. Penalty data for FY 2011 does not include penalty information from approximately 4,500 inspections conducted in federal states in several OSHA regional offices that converted from IMIS to the new OIS data system at some point during FY 2011.

Note: Due to the revised recordkeeping rule, which became effective Jan. 1, 2002, the estimates from the 2002 BLS Survey of Occupational Injuries and Illnesses and beyond are not comparable with those from previous years. Among the changes that could affect comparison are: changes to the list of low-hazard industries that are exempt from recordkeeping, employers are no longer required to record all illnesses regardless of severity, there is a new category of injuries/illnesses diagnosed by a physician or health care professional, changes to the definition of first aid, and days away from work are recorded as calendar days.

*BLS state fatality rates for 2010 are not yet available. The AFL-CIO calculated preliminary 2010 state fatality rates using the numbers of deaths reported by BLS for 2010 and the employment status of the civilian noninstitutional population 2010 annual averages from the BLS Current Population Survey (CPS).

Workplace Fatalities by State, 1992–2010

	Overall Fatalities																			
State	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	
Alabama	145	138	153	150	155	139	135	123	103	138	102	124	133	128	100	108	107	75	92	
Alaska	91	66	60	78	63	51	43	42	53	64	42	28	42	29	45	30	33	17	39	
Arizona	67	55	79	86	77	61	74	70	118	87	101	80	84	99	112	97	100	76	77	
Arkansas	82	71	85	92	88	102	86	76	106	68	80	87	70	80	78	89	85	75	88	
California	644	657	639	646	641	651	626	602	553	515	478	459	467	465	537	461	465	409	326	
Colorado	103	99	120	112	90	120	77	106	117	139	123	102	117	125	137	126	105	83	85	
Connecticut	42	31	35	32	35	32	57	38	55	41	39	36	54	46	38	38	28	34	49	
Delaware	11	13	15	12	18	17	11	14	13	10	11	9	10	11	15	10	11	7	8	
Florida	329	345	358	391	333	366	384	345	329	368	354	347	422	406	360	363	291	245	225	
Georgia	204	230	249	237	213	242	202	229	195	237	197	199	232	200	201	193	182	110	108	
Hawaii	28	26	21	24	27	19	12	32	20	41	24	21	25	15	30	23	19	13	19	
Idaho	45	43	50	53	62	56	51	43	35	45	39	43	38	35	38	31	36	27	33	
Illinois	250	252	247	250	262	240	216	208	206	231	190	200	208	194	207	185	193	158	206	
Indiana	148	136	195	156	143	190	155	171	159	152	136	132	153	157	148	127	143	125	118	
Iowa	110	88	74	54	70	80	68	80	71	62	57	76	82	90	71	89	93	80	77	
Kansas	82	99	106	95	85	93	98	87	85	94	89	78	80	81	85	101	73	76	85	
Kentucky	117	143	158	140	141	143	117	120	132	105	146	145	143	122	147	112	106	101	69	
Louisiana	153	171	187	139	134	137	159	141	143	117	103	95	121	111	118	139	135	140	111	
Maine	19	20	22	18	23	19	26	32	26	23	30	23	16	15	20	21	24	16	20	
Maryland	103	82	80	86	82	82	78	82	84	64	102	92	81	95	106	82	60	65	71	

Workplace Fatalities by State, 1992–2010

	Overall Fatalities																			
State	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	
Massachusetts	67	85	74	66	62	69	44	83	70	54	46	78	72	75	66	75	68	64	54	
Michigan	143	160	180	149	155	174	179	182	156	175	152	152	127	110	157	120	123	94	146	
Minnesota	103	113	82	84	92	72	88	72	68	76	81	72	80	87	78	72	65	61	70	
Mississippi	123	121	126	128	103	104	113	128	125	111	94	102	88	112	96	93	80	67	68	
Missouri	140	131	155	125	140	123	145	165	148	145	175	154	165	185	167	156	148	142	106	
Montana	65	38	50	34	50	56	58	49	42	58	51	39	39	50	45	54	40	52	36	
Nebraska	43	78	83	54	56	46	56	66	59	57	83	51	46	36	57	63	53	57	54	
Nevada	49	38	41	51	52	55	60	58	51	40	47	52	61	57	49	71	41	24	38	
New Hampshire	10	13	14	12	11	23	23	14	13	9	19	19	15	18	13	14	7	6	6	
New Jersey	138	145	114	118	100	101	103	104	115	129	129	104	129	112	88	106	92	99	81	
New Mexico	35	55	54	58	60	50	48	39	35	59	63	46	57	44	59	52	31	42	38	
New York	314	345	364	302	317	264	243	241	233	220	240	227	254	239	234	220	213	185	182	
North Carolina	169	214	226	187	191	210	228	222	234	203	169	182	183	165	168	167	161	129	139	
North Dakota	20	30	21	28	23	35	24	22	34	25	25	26	24	22	31	25	28	25	30	
Ohio	203	190	209	186	201	201	186	222	207	209	202	206	202	168	193	165	168	137	161	
Oklahoma	78	86	97	200	87	104	75	99	82	115	92	100	91	95	91	104	102	82	94	
Oregon	88	84	80	73	85	84	72	69	52	44	63	75	60	65	87	69	55	66	47	
Pennsylvania	242	241	354	233	282	259	235	221	199	225	188	208	230	224	240	220	241	168	221	
Rhode Island	17	16	12	11	6	11	12	11	7	17	8	18	7	6	10	5	6	7	9	
South Carolina	100	87	83	115	109	131	111	139	115	91	107	115	113	132	95	122	87	73	69	

Workplace Fatalities by State, 1992–2010

State	Overall Fatalities																		
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
South Dakota	28	28	31	26	32	23	28	46	35	35	36	28	24	31	37	22	30	24	36
Tennessee	145	154	170	179	152	168	150	154	160	136	140	137	145	139	153	154	135	111	138
Texas	536	529	497	475	514	459	523	468	572	536	417	491	440	495	489	528	463	482	461
Utah	59	66	66	51	64	66	67	54	61	65	52	54	50	54	60	78	64	48	41
Vermont	11	7	8	16	7	9	16	14	15	6	11	14	7	7	14	10	10	12	12
Virginia	175	135	164	132	153	166	177	154	148	146	142	155	171	186	165	146	156	119	107
Washington	97	112	118	109	128	112	113	88	75	102	86	83	98	85	87	90	84	76	104
West Virginia	77	66	61	56	66	53	57	57	46	63	40	51	58	46	79	61	53	41	95
Wisconsin	135	138	109	117	108	114	97	105	107	110	91	103	94	125	91	104	77	94	91
Wyoming	26	36	35	32	28	29	33	32	36	40	33	37	43	46	36	48	33	19	33
Total¹	6,217	6,331	6,632	6,275	6,202	6,238	6,055	6,054	5,920	5,915	5,534	5,575	5,764	5,734	5,840	5,657	5,214	4,551	4,690

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with state and federal agencies, Census of Fatal Occupational Injuries.

¹Total includes workplace fatalities occurring in the District of Columbia.

Fatal Occupational Injuries by State and Event or Exposure, 2010

State	Total Fatalities 2010	Transportation Incidents	Assaults and Violent Acts	Contact with Objects and Equipment	Falls	Exposure to Harmful Substances or Environments	Fires and Explosions
Alabama	92	34	20	16	13	5	4
Alaska	39	24	4	5	--	4	--
Arizona	77	28	24	8	9	8	--
Arkansas	88	41	9	13	12	12	--
California	326	98	80	43	66	28	10
Colorado	85	30	21	15	12	3	3
Connecticut	49	11	17	3	5	4	8
Delaware	8	5	--	--	--	--	--
District of Columbia	16	--	7	--	5	--	--
Florida	225	97	47	19	32	28	--
Georgia	108	39	23	18	16	7	5
Hawaii	19	8	5	--	4	--	--
Idaho	33	20	--	6	--	4	--
Illinois	206	73	40	39	31	15	7
Indiana	118	58	13	20	17	6	4
Iowa	77	45	6	15	7	4	--
Kansas	85	39	4	16	11	6	9
Kentucky	69	30	3	20	7	4	5
Louisiana	111	44	12	16	11	12	16
Maine	20	13	--	3	3	--	--
Maryland	71	23	18	12	12	3	--
Massachusetts	54	14	14	4	16	5	--

Fatal Occupational Injuries by State and Event or Exposure, 2010

State	Total Fatalities 2010	Transportation Incidents	Assaults and Violent Acts	Contact with Objects and Equipment	Falls	Exposure to Harmful Substances or Environments	Fires and Explosions
Michigan	146	45	37	22	22	17	--
Minnesota	70	26	13	17	10	4	--
Mississippi	68	35	9	7	10	6	--
Missouri	106	59	13	14	14	6	--
Montana	36	19	7	3	3	3	--
Nebraska	54	22	6	8	8	9	--
Nevada	38	6	12	7	8	5	--
New Hampshire	6	--	--	--	--	--	--
New Jersey	81	33	18	5	13	11	--
New Mexico	38	12	10	--	6	6	--
New York	182	54	45	31	28	15	8
North Carolina	139	47	31	24	22	15	--
North Dakota	30	15	--	8	5	--	--
Ohio	161	64	30	38	12	13	4
Oklahoma	94	42	7	18	9	11	7
Oregon	47	19	12	8	4	4	--
Pennsylvania	221	80	39	36	46	13	7
Rhode Island	9	--	4	--	--	--	--
South Carolina	69	32	12	4	11	7	3
South Dakota	36	19	--	10	5	--	--
Tennessee	138	51	15	31	21	13	5
Texas	461	200	75	64	50	53	18

Fatal Occupational Injuries by State and Event or Exposure, 2010

State	Total Fatalities 2010	Transportation Incidents	Assaults and Violent Acts	Contact with Objects and Equipment	Falls	Exposure to Harmful Substances or Environments	Fires and Explosions
Utah	41	15	7	8	8	3	--
Vermont	12	7	--	3	--	--	--
Virginia	107	57	18	12	9	9	--
Washington	104	40	17	21	9	8	7
West Virginia	95	32	--	14	5	8	34
Wisconsin	91	28	12	26	12	8	5
Wyoming	33	18	8	4	--	--	--
Total	4,690	1,857	832	738	646	414	191

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with state and federal agencies, Census of Fatal Occupational Injuries, 2010.

Note: State totals include other events and exposures, such as bodily reaction, in addition to those shown separately. Dashes indicate no data reported or data that do not meet BLS publication criteria.

Number and Rate¹ of Injuries and Illnesses by State for All Industries, Private Industry, State Government and Local Government, 2010

State	Number of Injuries/Illnesses				Rate ¹ of Injuries/Illnesses			
	All Industries	Private Industry	State Government	Local Government	All Industries	Private Industry	State Government	Local Government
Alabama	53,000	44,900	N/A	NA	3.4	3.5	N/A	NA
Alaska	11,100	9,100	600	1,400	4.5	4.5	3.2	5.5
Arizona	66,400	53,700	1,800	10,800	3.5	3.3	3.0	5.7
Arkansas	33,500	26,800	2,300	4,400	3.4	3.3	3.6	4.6
California	464,100	351,000	21,000	92,200	4.2	3.7	5.9	7.5
Colorado	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Connecticut	56,700	45,600	2,800	8,300	4.4	4.0	5.2	8.5
Delaware	10,600	8,800	700	1,000	3.3	3.2	3.6	5.7
Florida	222,600	170,400	N/A	N/A	3.8	3.4	N/A	N/A
Georgia	106,000	83,100	N/A	N/A	3.3	3.1	N/A	N/A
Hawaii	16,900	14,000	1,600	1,200	4.0	3.9	3.6	8.0
Idaho	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Illinois	157,500	125,100	5,000	27,400	3.6	3.3	5.1	6.1
Indiana	93,200	78,700	2,200	12,300	4.3	4.1	3.1	5.8
Iowa	52,500	43,900	1,600	7,000	4.5	4.4	3.5	5.6
Kansas	40,800	33,100	N/A	6,100	4.0	3.7	N/A	5.4
Kentucky	62,300	49,200	3,800	9,300	4.5	4.2	5.2	6.7
Louisiana	65,100	34,800	N/A	8,800	4.2	2.7	N/A	5.4
Maine	24,500	21,100	1,000	2,400	5.6	5.6	5.3	5.5
Maryland	73,800	58,900	4,600	10,400	3.9	3.6	5.3	6.0
Massachusetts	79,700	69,700	3,100	N/A	3.2	3.2	3.4	N/A

Number and Rate¹ of Injuries and Illnesses by State for All Industries, Private Industry, State Government and Local Government, 2010

State	Number of Injuries/Illnesses				Rate ¹ of Injuries/Illnesses			
	All Industries	Private Industry	State Government	Local Government	All Industries	Private Industry	State Government	Local Government
Michigan	126,800	106,800	4,300	15,700	4.3	4.2	3.2	5.8
Minnesota	76,700	66,700	2,800	7,200	3.9	3.8	4.2	4.1
Mississippi	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Missouri	79,200	61,700	N/A	10,700	3.7	3.4	N/A	4.4
Montana	15,700	13,000	800	1,800	5.0	5.0	4.4	5.7
Nebraska	31,000	25,700	N/A	3,900	4.2	4.2	N/A	4.7
Nevada	35,900	29,700	1,300	4,900	4.0	3.8	4.7	6.0
New Hampshire	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
New Jersey	110,000	82,500	6,500	21,000	3.7	3.2	5.8	7.5
New Mexico	26,700	18,900	2,400	5,500	4.3	3.7	5.1	7.6
New York	228,100	154,200	16,000	57,900	3.4	2.7	7.6	7.2
North Carolina	101,600	79,500	4,800	17,200	3.3	3.1	2.9	5.0
North Dakota	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ohio	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Oklahoma	51,600	40,900	2,500	8,200	4.3	4.0	3.4	7.1
Oregon	50,300	42,400	1,700	6,300	4.0	3.9	3.2	5.1
Pennsylvania	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Rhode Island	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
South Carolina	50,000	37,000	2,500	10,500	3.5	3.1	3.3	6.1
South Dakota	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Tennessee	78,900	65,400	2,400	11,000	3.8	3.7	3.4	5.4

Number and Rate¹ of Injuries and Illnesses by State for All Industries, Private Industry, State Government and Local Government, 2010

State	Number of Injuries/Illnesses				Rate ¹ of Injuries/Illnesses			
	All Industries	Private Industry	State Government	Local Government	All Industries	Private Industry	State Government	Local Government
Texas	255,900	189,800	N/A	N/A	3.0	2.7	N/A	N/A
Utah	31,300	25,800	1,000	4,500	3.6	3.4	2.0	6.1
Vermont	11,700	9,800	500	1,400	5.2	5.2	3.3	6.8
Virginia	92,000	74,900	3,400	13,800	3.3	3.1	2.9	4.6
Washington	106,400	86,700	5,300	14,500	5.0	4.8	5.1	7.1
West Virginia	25,200	20,400	1,500	3,200	4.4	4.4	3.8	5.2
Wisconsin	90,300	77,100	2,700	10,500	4.4	4.3	3.5	5.5
Wyoming	9,300	7,100	500	1,700	4.1	4.0	3.4	5.2
Total or National Average²	3.9 Million	3.1 Million	183,900	636,400	3.8	3.5	4.6	6.1

Source: U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2010.

¹Rate of total cases of injuries and illnesses per 100 workers.

²Total number of injuries and illnesses and national average rate of injuries and illnesses includes District of Columbia, Guam, Puerto Rico and the Virgin Islands.

Hispanic Worker Fatalities by State, 1992–2010 ¹

	Fatalities																			
State	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	
Alabama	5	--	--	--	--	--	--	--	--	--	5	8	6	9	6	5	5	--	5	
Alaska	--	--	--	--	--	--	--	--	--	--	--	--	--	3	5	--	--	--	--	
Arizona	13	16	23	11	17	13	27	26	26	34	28	17	25	36	36	26	30	22	18	
Arkansas	--	--	--	--	--	--	--	8	9	--	5	9	5	8	3	5	9	--	6	
California	163	177	175	178	183	189	174	216	172	188	176	164	188	190	231	179	180	161	142	
Colorado	11	17	10	19	10	22	15	19	27	25	16	25	25	19	18	30	21	17	19	
Connecticut	--	--	--	--	--	--	10	--	12	9	7	--	10	5	7	4	7	4	5	
Delaware	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
Florida	32	57	67	67	68	84	58	68	75	84	98	90	119	113	95	111	73	49	38	
Georgia	--	6	7	7	7	11	19	17	26	36	16	26	29	25	35	28	26	10	16	
Hawaii	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	4	--	--	--	
Idaho	--	--	6	5	--	--	--	6	5	--	9	3	6	3	7	--	5	4	5	
Illinois	19	21	14	20	22	17	17	21	17	30	27	22	29	23	30	27	25	16	25	
Indiana	--	--	--	--	--	--	--	--	--	8	9	7	7	5	7	7	14	3	3	
Iowa	--	--	--	--	--	--	--	--	--	--	--	--	7	--	--	4	6	8	5	
Kansas	--	--	11	9	--	5	15	5	5	6	5	4	11	10	4	5	9	8	4	
Kentucky	--	--	--	--	--	--	--	--	--	--	--	3	--	6	7	6	7	3	--	
Louisiana	--	--	--	--	--	--	--	--	5	5	--	--	9	8	10	11	5	11	7	
Maine	--	--	--	--	--	--	--	--	--	--	14	--	--	--	--	--	--	--	--	
Maryland	--	--	--	5	--	--	--	--	6	--	10	11	17	8	22	7	10	3	12	

Hispanic Worker Fatalities by State, 1992–2010 ¹

	Fatalities																			
State	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	
Massachusetts	--	--	--	6	--	6	--	6	--	6	5	6	9	6	7	11	10	5	7	
Michigan	--	--	6	--	--	--	6	12	6	7	7	4	6	8	12	7	8	4	10	
Minnesota	--	--	--	--	--	--	--	--	5	--	--	5	3	6	4	--	--	--	3	
Mississippi	--	--	--	--	--	--	--	--	5	11	5	--	4	3	3	7	7	4	5	
Missouri	--	--	--	--	--	--	--	--	--	8	--	6	4	--	4	7	4	6	3	
Montana	--	--	--	--	--	--	--	--	--	5	--	--	--	4	3	3	--	3	3	
Nebraska	--	--	--	--	--	--	--	--	--	--	9	3	4	--	--	4	5	--	3	
Nevada	5	--	--	7	5	9	9	6	10	10	8	10	17	9	12	12	13	6	9	
New Hampshire	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
New Jersey	15	13	16	15	10	12	12	17	23	25	33	24	34	30	28	23	25	25	20	
New Mexico	12	12	14	17	23	23	17	13	9	27	21	9	12	19	30	21	10	16	17	
New York	52	108	52	54	58	31	34	42	55	45	43	36	45	34	57	41	33	35	29	
North Carolina	--	6	5	9	12	18	14	12	22	20	25	21	26	27	23	14	20	12	13	
North Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	4	5	
Ohio	--	--	--	--	--	--	5	--	5	6	--	15	5	5	8	6	4	4	8	
Oklahoma	--	--	--	5	--	8	5	--	--	16	8	3	13	8	8	13	9	7	17	
Oregon	8	--	5	--	--	--	10	--	6	5	--	7	4	6	11	6	--	8	6	
Pennsylvania	--	10	9	--	--	5	7	8	16	10	12	10	6	11	14	16	11	10	13	
Rhode Island	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
South Carolina	--	--	--	--	--	--	--	7	12	9	7	18	13	10	10	7	8	10	10	

Hispanic Worker Fatalities by State, 1992–2010 ¹

	Fatalities																			
State	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	
South Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	3	--	--	
Tennessee	--	--	--	5	5	--	--	5	12	5	7	8	9	5	14	8	9	8	8	
Texas	136	122	143	136	137	133	175	151	190	170	147	163	150	200	174	211	148	185	165	
Utah	--	--	--	--	6	--	9	5	6	8	6	11	5	4	6	10	6	8	4	
Vermont	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
Virginia	8	--	6	6	6	9	6	12	5	12	15	13	13	24	13	18	16	7	9	
Washington	5	11	--	--	11	11	17	--	13	13	15	5	14	7	7	10	8	7	14	
West Virginia	--	--	--	--	--	--	--	--	--	--	--	--	--	4	--	--	--	--	--	
Wisconsin	--	6	--	--	--	--	--	--	--	8	--	3	--	9	3	5	--	5	4	
Wyoming	--	--	--	--	--	--	--	--	5	5	8	--	3	--	--	8	--	--	--	
Totals ²	533	634	624	619	638	658	707	730	815	891	840	794	902	923	990	937	804	713	707	

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with state and federal agencies, Census of Fatal Occupational Injuries.

¹Hispanic or Latino, includes both foreign-born and native-born.

²Total includes fatalities that may have occurred in the District of Columbia.

Foreign-Born Worker Fatalities by State, 1992–2010 ¹

Fatalities																			
State	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Alabama	5	--	--	--	--	--	--	--	--	--	5	3	6	10	--	5	3	7	10
Alaska		--	6	--	9	5	--	--	--	9	--	--	7	5	4	4	3	--	6
Arizona	13	9	9	11	11	10	23	21	19	29	22	15	21	31	27	18	21	14	15
Arkansas	--	--	--	--	7	--	--	5	9	--	--	--	4	--	--	9	7	3	12
California	162	198	180	169	167	134	111	223	195	208	170	146	174	203	229	182	145	146	145
Colorado	6	5	7	12	6	15	12	15	11	23	11	22	21	11	21	24	14	16	13
Connecticut	--	--	--	--	8	6	13	5	14	20	7	7	15	7	10	4	--	3	10
Delaware	--	--	--	--	--	--	--	--	--	--	--	--	--	--	5	--	--	--	--
Florida	56	68	62	65	87	106	65	69	91	96	106	109	123	119	119	121	86	62	55
Georgia	8	12	14	9	16	14	22	14	28	57	20	34	24	31	35	28	27	4	4
Hawaii	6	5	--	--	--	--	--	--	6	11	8	4	9	4	11	6	4	3	4
Idaho	7	--	7	5	--	--	--	5	5	--	8	3	4	3	7	3	5	3	6
Illinois	23	36	24	35	34	37	29	31	28	52	37	42	44	36	37	34	34	23	42
Indiana	5	--	11	5	5	7	8	5	7	11	11	9	10	13	12	6	13	5	8
Iowa	--	--	--	--	--	--	--	--	--	--	--	--	5	--	--	7	7	8	3
Kansas	--	--	--	--	--	--	8	--	5	5	7	6	10	12	4	5	10	5	4
Kentucky	--	--	--	--	--	--	--	--	--	--	8	--	3	7	10	5	7	6	--
Louisiana	--	5	--	--	8	6	7	--	7	9	--	--	3	10	11	7	5	9	6
Maine	--	--	--	--	--	--	5	--	--	--	15	--	--	--	--	--	--	--	3
Maryland	6	5	6	10	9	--	9	15	12	8	16	21	24	26	34	18	15	10	16

Foreign-Born Worker Fatalities by State, 1992–2010 ¹

Fatalities																			
State	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Massachusetts	19	14	11	12	9	7	6	16	5	7	14	14	22	22	11	18	16	13	15
Michigan	8	12	9	7	9	13	7	24	18	15	15	16	11	12	19	14	10	8	17
Minnesota	--	5	--	--	6	--	--	--	--	--	5	5	4	10	6	--	--	--	5
Mississippi	--	--	--	--	--	5	--	--	--	6	5	--	3	8	--	9	5	3	6
Missouri	--	--	--	--	--	--	--	10	7	6	7	5	9	6	9	12	8	9	4
Montana	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	3	--	5	--
Nebraska	--	--	--	--	--	--	--	--	--	--	12	--	3	--	--	5	6	4	3
Nevada	--	--	--	5	5	6	7	9	9	12	13	9	15	8	9	11	11	--	9
New Hampshire	--	--	--	--	--	--	--	--	--	--	--	3	--	--	--	--	--	--	--
New Jersey	29	26	29	29	29	30	26	25	31	37	41	41	39	47	34	36	40	41	20
New Mexico	--	--	--	--	13	11	8	--	--	15	6	4	6	7	10	8	5	5	8
New York	133	133	113	93	98	67	66	67	91	75	80	73	74	79	90	66	71	57	63
North Carolina	6	5	11	5	11	19	13	17	7	22	26	26	25	29	27	21	25	22	18
North Dakota	--	--	--	--	--	--	--	--	--	--	--	4	--	--	--	--	--	--	3
Ohio	9	8	16	8	6	12	8	9	12	7	13	18	10	11	13	8	10	10	13
Oklahoma	--	--	--	--	--	8	--	--	--	13	15	7	11	--	--	14	5	7	13
Oregon	10	--	--	--	5	--	5	11	--	--	6	5	6	8	9	7	--	10	10
Pennsylvania	11	16	22	6	8	10	9	11	16	16	13	15	19	24	23	28	25	22	34
Rhode Island	--	5	--	--	--	--	--	--	--	--	--	4	--	--	--	--	--	--	--
South Carolina	--	--	--	6	--	5	6	7	16	12	8	18	18	13	11	10	8	8	13

Foreign-Born Worker Fatalities by State, 1992–2010 ¹

State	Fatalities																		
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
South Dakota	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Tennessee	--	6	--	8	--	--	--	--	5	--	7	15	12	14	23	12	19	13	17
Texas	69	72	90	84	93	102	111	100	115	122	110	121	101	135	112	153	104	125	117
Utah	--	--	--	--	5	6	5	8	6	8	9	12	4	8	5	8	12	4	8
Vermont	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Virginia	10	8	15	10	8	20	10	18	17	22	20	22	41	33	17	31	18	21	12
Washington	7	17	13	11	22	12	19	7	13	17	19	6	21	9	12	23	15	9	11
West Virginia	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	3	--	--	--
Wisconsin	--	8	--	7	--	--	--	7	--	9	--	5	5	9	--	5	--	4	--
Wyoming	--	--	--	--	--	--	--	--	--	--	--	--	--	--	4	7	--	--	--
Totals ²	635	725	698	658	728	714	654	811	849	994	929	890	979	1,035	1,046	1,009	835	740	798

Source: U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries in cooperation with state, New York City, District of Columbia and federal agencies.

¹The definition of "foreign-born" employed by the Census of Fatal Occupational Injuries refers simply to workers not born in the United States or U.S. territories and does not convey information on citizenship at birth.

²Totals include fatalities that may have occurred in the District of Columbia.

Note: Dashes indicate no data reported or data that do not meet BLS publication criteria.

STATE PROFILES

ALABAMA

Worker Safety and Health

Number of employees: ¹	1,813,155
Number of establishments: ¹	116,828
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	92
Rate per 100,000 workers: ⁴	4.7
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	35
Total cases of workplace injuries and illnesses, 2010: ⁶	44,900
Rate per 100 workers:	3.5
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	22,900
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: ¹	310,689
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	26
Number of workplace safety and health inspections conducted, FY 2011: ⁹	925
Construction:	484
Non-construction:	441
Length of time it would take for OSHA to inspect each workplace once:	120 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,352
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

ALASKA

Worker Safety and Health

Number of employees: ¹	316,691
Number of establishments: ¹	21,246
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	39
Rate per 100,000 workers: ⁴	11.8
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	48
Total cases of workplace injuries and illnesses, 2010: ⁶	9,100
Rate per 100 workers:	4.5
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	4,400
Rate per 100 workers:	2.2
National rate:	1.8
Number of state and local employees: ¹	61,678
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	14
Number of workplace safety and health inspections conducted, FY 2011: ⁹	474
Construction:	144
Non-construction:	330
Length of time it would take for OSHA to inspect each workplace once:	44 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$707
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

ARIZONA

Worker Safety and Health

Number of employees: ¹	2,356,789
Number of establishments: ¹	144,788
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	77
Rate per 100,000 workers: ⁴	2.7
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	12
Total cases of workplace injuries and illnesses, 2010: ⁶	53,700
Rate per 100 workers:	3.3
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	27,200
Rate per 100 workers:	1.7
National rate:	1.8
Number of state and local employees: ¹	338,285
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	28
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,034
Construction:	525
Non-construction:	509
Length of time it would take for OSHA to inspect each workplace once:	140 yrs.
Average penalty assessed for serious violation of the OSH Act, FY 2011: ⁹	\$1,030
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

ARKANSAS

Worker Safety and Health

Number of employees: ¹	1,134,071
Number of establishments: ¹	85,194
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	88
Rate per 100,000 workers: ⁴	7.2
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	44
Total cases of workplace injuries and illnesses, 2010: ⁶	26,800
Rate per 100 workers:	3.3
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	12,700
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: ¹	182,688
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	9
Number of workplace safety and health inspections conducted, FY 2011: ⁹	417
Construction:	250
Non-construction:	167
Length of time it would take for OSHA to inspect each workplace once:	196 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,311
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

CALIFORNIA

Worker Safety and Health

Number of employees: ¹	14,414,461
Number of establishments: ¹	1,333,615
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	326
Rate per 100,000 workers: ⁴	2.0
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	4
Total cases of workplace injuries and illnesses, 2010: ⁶	351,000
Rate per 100 workers:	3.7
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	203,400
Rate per 100 workers:	2.1
National rate:	1.8
Number of state and local employees: ¹	2,101,303
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	275
Number of workplace safety and health inspections conducted, FY 2011: ⁹	8,522
Construction:	2,026
Non-construction:	6,496
Length of time it would take for OSHA to inspect each workplace once:	156 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$4,851
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

COLORADO

Worker Safety and Health

Number of employees: ¹	2,176,986
Number of establishments: ¹	171,634
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	85
Rate per 100,000 workers: ⁴	3.4
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	22
Total cases of workplace injuries and illnesses, 2010: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	318,608
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	30
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,510
Construction:	910
Non-construction:	600
Length of time it would take for OSHA to inspect each workplace once:	111 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$1,721
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

CONNECTICUT

Worker Safety and Health

Number of employees: ¹	1,595,713
Number of establishments: ¹	110,967
State or federal OSHA program: ²	Federal (public-sector state plan only)
Number of workplace fatalities, 2010: ³	49
Rate per 100,000 workers: ⁴	2.9
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	15
Total cases of workplace injuries and illnesses, 2010: ⁶	45,600
Rate per 100 workers:	4.0
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	24,800
Rate per 100 workers:	2.2
National rate:	1.8
Number of state and local employees: ¹	222,466
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	24
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,187
Construction:	581
Non-construction:	606
Length of time it would take for OSHA to inspect each workplace once:	93 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$1,831
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

DELAWARE

Worker Safety and Health

Number of employees: ¹	399,078
Number of establishments: ¹	28,523
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	8
Rate per 100,000 workers: ⁴	2.0
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	4
Total cases of workplace injuries and illnesses, 2010: ⁶	8,800
Rate per 100 workers:	3.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	4,400
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: ¹	54,343
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	4
Number of workplace safety and health inspections conducted, FY 2011: ⁹	235
Construction:	136
Non-construction:	99
Length of time it would take for OSHA to inspect each workplace once:	120 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,569
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

DISTRICT OF COLUMBIA

Worker Safety and Health

Number of employees: ¹	693,274
Number of establishments: ¹	34,755
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	16
Rate per 100,000 workers: ⁴	5.2
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	N/A
Total cases of workplace injuries and illnesses, 2010: ⁶	7,300
Rate per 100 workers:	1.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	3,400
Rate per 100 workers:	0.9
National rate:	1.8
Number of state and local employees: ¹	34,745
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	N/A
Number of workplace safety and health inspections conducted, FY 2011: ⁹	502
Construction:	460
Non-construction:	42
Length of time it would take for OSHA to inspect each workplace once:	69 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$1,868
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

FLORIDA

Worker Safety and Health

Number of employees: ¹	7,109,630
Number of establishments: ¹	592,146
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	225
Rate per 100,000 workers: ⁴	2.8
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	13
Total cases of workplace injuries and illnesses, 2010: ⁶	170,400
Rate per 100 workers:	3.4
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	86,900
Rate per 100 workers:	1.7
National rate:	1.8
Number of state and local employees: ¹	922,534
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	64
Number of workplace safety and health inspections conducted, FY 2011: ⁹	2,550
Construction:	1,408
Non-construction:	1,142
Length of time it would take for OSHA to inspect each workplace once:	230 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$1,997
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

GEORGIA

Worker Safety and Health

Number of employees: ¹	3,753,934
Number of establishments: ¹	266,436
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	108
Rate per 100,000 workers: ⁴	2.5
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	8
Total cases of workplace injuries and illnesses, 2010: ⁶	83,100
Rate per 100 workers:	3.1
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	42,800
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: ¹	561,516
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	52
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,813
Construction:	940
Non-construction:	873
Length of time it would take for OSHA to inspect each workplace once:	143 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,002
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

HAWAII

Worker Safety and Health

Number of employees: ¹	586,772
Number of establishments: ¹	38,150
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	19
Rate per 100,000 workers: ⁴	3.3
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	20
Total cases of workplace injuries and illnesses, 2010: ⁶	14,000
Rate per 100 workers:	3.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	8,200
Rate per 100 workers:	2.3
National rate:	1.8
Number of state and local employees: ¹	86,821
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	22
Number of workplace safety and health inspections conducted, FY 2011: ⁹	363
Construction:	163
Non-construction:	200
Length of time it would take for OSHA to inspect each workplace once:	105 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$907
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

IDAHO

Worker Safety and Health

Number of employees: ¹	605,571
Number of establishments: ¹	54,622
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	33
Rate per 100,000 workers: ⁴	4.8
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	36
Total cases of workplace injuries and illnesses, 2010: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	98,984
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	9
Number of workplace safety and health inspections conducted, FY 2011: ⁹	625
Construction:	417
Non-construction:	208
Length of time it would take for OSHA to inspect each workplace once:	84 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$1,919
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

ILLINOIS

Worker Safety and Health

Number of employees: ¹	5,502,322
Number of establishments: ¹	378,620
State or federal OSHA program: ²	Federal (public-sector state plan only)
Number of workplace fatalities, 2010: ³	206
Rate per 100,000 workers: ⁴	3.5
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	26
Total cases of workplace injuries and illnesses, 2010: ⁶	125,100
Rate per 100 workers:	3.3
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	66,700
Rate per 100 workers:	1.7
National rate:	1.8
Number of state and local employees: ¹	724,053
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	78
Number of workplace safety and health inspections conducted, FY 2011: ⁹	4,229
Construction:	1,544
Non-construction:	2,685
Length of time it would take for OSHA to inspect each workplace once:	89 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,151
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

INDIANA

Worker Safety and Health

Number of employees: ¹	2,709,831
Number of establishments: ¹	158,215
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	118
Rate per 100,000 workers: ⁴	4.2
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	33
Total cases of workplace injuries and illnesses, 2010: ⁶	78,700
Rate per 100 workers:	4.1
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	39,600
Rate per 100 workers:	2.1
National rate:	1.8
Number of state and local employees: ¹	362,907
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	71
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,431
Construction:	974
Non-construction:	457
Length of time it would take for OSHA to inspect each workplace once:	110 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$886
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010. The number is preliminary.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

IOWA

Worker Safety and Health

Number of employees: ¹	1,436,340
Number of establishments: ¹	94,146
State or federal OSHA program: ²	State
Number of workplace fatalities 2010: ³	77
Rate per 100,000 workers: ⁴	4.9
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	37
Total cases of workplace injuries and illnesses, 2010: ⁶	43,900
Rate per 100 workers:	4.4
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	23,200
Rate per 100 workers:	2.3
National rate:	1.8
Number of state and local employees: ¹	216,048
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	28
Number of workplace safety and health inspections conducted, FY 2011: ⁹	980
Construction:	531
Non-construction:	449
Length of time it would take for OSHA to inspect each workplace once:	96 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$1,289
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010. The number is preliminary.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

KANSAS

Worker Safety and Health

Number of employees: ¹	1,297,779
Number of establishments: ¹	87,187
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	85
Rate per 100,000 workers: ⁴	6.1
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	43
Total cases of workplace injuries and illnesses, 2010: ⁶	33,100
Rate per 100 workers:	3.7
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	15,800
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: ¹	221,885
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	15
Number of workplace safety and health inspections conducted, FY 2011: ⁹	770
Construction:	434
Non-construction:	336
Length of time it would take for OSHA to inspect each workplace once:	107 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,243
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010. The number is preliminary.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

KENTUCKY

Worker Safety and Health

Number of employees: ¹	1,712,178
Number of establishments: ¹	110,074
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	69
Rate per 100,000 workers: ⁴	3.7
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	29
Total cases of workplace injuries and illnesses, 2010: ⁶	49,200
Rate per 100 workers:	4.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	25,500
Rate per 100 workers:	2.2
National rate:	1.8
Number of state and local employees: ¹	266,283
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	40
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,133
Construction:	566
Non-construction:	567
Length of time it would take for OSHA to inspect each workplace once:	96 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,248
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

LOUISIANA

Worker Safety and Health

Number of employees: ¹	1,832,357
Number of establishments: ¹	128,835
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	111
Rate per 100,000 workers: ⁴	5.8
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	39
Total cases of workplace injuries and illnesses, 2010: ⁶	34,800
Rate per 100 workers:	2.7
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	16,300
Rate per 100 workers:	1.3
National rate:	1.8
Number of state and local employees: ¹	317,570
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	15
Number of workplace safety and health inspections conducted, FY 2011: ⁹	585
Construction:	314
Non-construction:	271
Length of time it would take for OSHA to inspect each workplace once:	209 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,350
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

MAINE

Worker Safety and Health

Number of employees: ¹	577,790
Number of establishments: ¹	49,196
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	20
Rate per 100,000 workers: ⁴	3.2
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	17
Total cases of workplace injuries and illnesses, 2010: ⁶	21,100
Rate per 100 workers:	5.6
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	11,200
Rate per 100 workers:	3.0
National rate:	1.8
Number of state and local employees: ¹	83,537
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	9
Number of workplace safety and health inspections conducted, FY 2011: ⁹	568
Construction:	352
Non-construction:	216
Length of time it would take for OSHA to inspect each workplace once:	82 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,231
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

MARYLAND

Worker Safety and Health

Number of employees: ¹	2,453,197
Number of establishments: ¹	163,673
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	71
Rate per 100,000 workers: ⁴	2.5
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	8
Total cases of workplace injuries and illnesses, 2010: ⁶	58,900
Rate per 100 workers:	3.6
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	31,400
Rate per 100 workers:	1.9
National rate:	1.8
Number of state and local employees: ¹	344,755
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	63
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,354
Construction:	864
Non-construction:	490
Length of time it would take for OSHA to inspect each workplace once:	121 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$726
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

MASSACHUSETTS

Worker Safety and Health

Number of employees: ¹	3,149,169
Number of establishments: ¹	220,134
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	54
Rate per 100,000 workers: ⁴	1.7
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	2
Total cases of workplace injuries and illnesses, 2010: ⁶	69,700
Rate per 100 workers:	3.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	38,200
Rate per 100 workers:	1.8
National rate:	1.8
Number of state and local employees: ¹	365,350
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	35
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,733
Construction:	1,051
Non-construction:	682
Length of time it would take for OSHA to inspect each workplace once:	124 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,183
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

MICHIGAN

Worker Safety and Health

Number of employees: ¹	3,770,225
Number of establishments: ¹	248,957
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	146
Rate per 100,000 workers: ⁴	3.4
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	22
Total cases of workplace injuries and illnesses, 2010: ⁶	106,800
Rate per 100 workers:	4.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	51,400
Rate per 100 workers:	2.0
National rate:	1.8
Number of state and local employees: ¹	533,116
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	77
Number of workplace safety and health inspections conducted, FY 2011: ⁹	5,382
Construction:	3,903
Non-construction:	1,479
Length of time it would take for OSHA to inspect each workplace once:	46 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$463
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

MINNESOTA

Worker Safety and Health

Number of employees: ¹	2,558,310
Number of establishments: ¹	163,325
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	70
Rate per 100,000 workers: ⁴	2.6
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	10
Total cases of workplace injuries and illnesses, 2010: ⁶	66,700
Rate per 100 workers:	3.8
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	32,400
Rate per 100 workers:	1.9
National rate:	1.8
Number of state and local employees: ¹	339,273
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	59
Number of workplace safety and health inspections conducted, FY 2011: ⁹	2,330
Construction:	453
Non-construction:	1,877
Length of time it would take for OSHA to inspect each workplace once:	70 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$730
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

MISSISSIPPI

Worker Safety and Health

Number of employees: ¹	1,074,617
Number of establishments: ¹	69,021
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	68
Rate per 100,000 workers: ⁴	5.9
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	42
Total cases of workplace injuries and illnesses, 2010: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	214,021
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	15
Number of workplace safety and health inspections conducted, FY 2011: ⁹	558
Construction:	307
Non-construction:	251
Length of time it would take for OSHA to inspect each workplace once:	118 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$1,851
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

MISSOURI

Worker Safety and Health

Number of employees: ¹	2,573,703
Number of establishments: ¹	173,801
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	106
Rate per 100,000 workers: ⁴	3.9
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	31
Total cases of workplace injuries and illnesses, 2010: ⁶	61,700
Rate per 100 workers:	3.4
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	29,400
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: ¹	371,015
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	27
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,453
Construction:	747
Non-construction:	706
Length of time it would take for OSHA to inspect each workplace once:	114 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,014
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

MONTANA

Worker Safety and Health

Number of employees: ¹	419,231
Number of establishments: ¹	42,143
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	36
Rate per 100,000 workers: ⁴	8.0
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	45
Total cases of workplace injuries and illnesses, 2010: ⁶	13,000
Rate per 100 workers:	5.0
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	5,900
Rate per 100 workers:	2.3
National rate:	1.8
Number of state and local employees: ¹	69,541
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	7
Number of workplace safety and health inspections conducted, FY 2011: ⁹	381
Construction:	222
Non-construction:	159
Length of time it would take for OSHA to inspect each workplace once:	106 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,597
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

NEBRASKA

Worker Safety and Health

Number of employees: ¹	896,936
Number of establishments: ¹	59,694
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	54
Rate per 100,000 workers: ⁴	5.8
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	39
Total cases of workplace injuries and illnesses, 2010: ⁶	25,700
Rate per 100 workers:	4.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	12,500
Rate per 100 workers:	2.0
National rate:	1.8
Number of state and local employees: ¹	142,719
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	10
Number of workplace safety and health inspections conducted, FY 2011: ⁹	543
Construction:	279
Non-construction:	264
Length of time it would take for OSHA to inspect each workplace once:	104 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,984
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

NEVADA

Worker Safety and Health

Number of employees: ¹	1,108,238
Number of establishments: ¹	72,178
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	38
Rate per 100,000 workers: ⁴	3.4
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	22
Total cases of workplace injuries and illnesses, 2010: ⁶	29,700
Rate per 100 workers:	3.8
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	15,200
Rate per 100 workers:	1.9
National rate:	1.8
Number of state and local employees: ¹	131,520
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	42
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,318
Construction:	452
Non-construction:	866
Length of time it would take for OSHA to inspect each workplace once:	55 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,263
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

NEW HAMPSHIRE

Worker Safety and Health

Number of employees: ¹	600,697
Number of establishments: ¹	47,885
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	6
Rate per 100,000 workers: ⁴	0.9
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	1
Total cases of workplace injuries and illnesses, 2010: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	79,161
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	6
Number of workplace safety and health inspections conducted, FY 2011: ⁹	301
Construction:	189
Non-construction:	112
Length of time it would take for OSHA to inspect each workplace once:	153 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,656
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

NEW JERSEY

Worker Safety and Health

Number of employees: ¹	3,735,703
Number of establishments: ¹	267,009
State or federal OSHA program: ²	Federal (public-sector state plan only)
Number of workplace fatalities, 2010: ³	81
Rate per 100,000 workers: ⁴	2.0
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	4
Total cases of workplace injuries and illnesses, 2010: ⁶	82,500
Rate per 100 workers:	3.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	44,100
Rate per 100 workers:	1.7
National rate:	1.8
Number of state and local employees: ¹	540,237
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	69
Number of workplace safety and health inspections conducted, FY 2011: ⁹	3,391
Construction:	1,099
Non-construction:	2,292
Length of time it would take for OSHA to inspect each workplace once:	79 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,233
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

NEW MEXICO

Worker Safety and Health

Number of employees: ¹	781,694
Number of establishments: ¹	54,667
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	38
Rate per 100,000 workers: ⁴	4.5
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	34
Total cases of workplace injuries and illnesses, 2010: ⁶	18,900
Rate per 100 workers:	3.7
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	9,500
Rate per 100 workers:	1.9
National rate:	1.8
Number of state and local employees: ¹	155,138
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	11
Number of workplace safety and health inspections conducted, FY 2011: ⁹	519
Construction:	226
Non-construction:	293
Length of time it would take for OSHA to inspect each workplace once:	104 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$1,025
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

NEW YORK

Worker Safety and Health

Number of employees: ¹	8,340,732
Number of establishments: ¹	584,938
State or federal OSHA program: ²	Federal (public-sector state plan only)
Number of workplace fatalities, 2010: ³	182
Rate per 100,000 workers: ⁴	2.1
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	7
Total cases of workplace injuries and illnesses, 2010: ⁶	154,200
Rate per 100 workers:	2.7
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	81,800
Rate per 100 workers:	1.4
National rate:	1.8
Number of state and local employees: ¹	1,302,422
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	115
Number of workplace safety and health inspections conducted, FY 2011: ⁹	5,327
Construction:	2,445
Non-construction:	2,882
Length of time it would take for OSHA to inspect each workplace once:	110 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,043
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

NORTH CAROLINA

Worker Safety and Health

Number of employees: ¹	3,788,581
Number of establishments: ¹	251,564
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	139
Rate per 100,000 workers: ⁴	3.4
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	22
Total cases of workplace injuries and illnesses, 2010: ⁶	79,500
Rate per 100 workers:	3.1
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	40,900
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: ¹	614,281
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	122
Number of workplace safety and health inspections conducted, FY 2011: ⁹	4,357
Construction:	1,862
Non-construction:	2,495
Length of time it would take for OSHA to inspect each workplace once:	58 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$1,081
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA, *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

NORTH DAKOTA

Worker Safety and Health

Number of employees: ¹	358,635
Number of establishments: ¹	26,162
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	30
Rate per 100,000 workers: ⁴	8.4
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	46
Total cases of workplace injuries and illnesses, 2010: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	57,151
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	4
Number of workplace safety and health inspections conducted, FY 2011: ⁹	112
Construction:	43
Non-construction:	69
Length of time it would take for OSHA to inspect each workplace once:	218 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,091
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

OHIO

Worker Safety and Health

Number of employees: ¹	4,908,571
Number of establishments: ¹	285,880
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	161
Rate per 100,000 workers: ⁴	3.1
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	16
Total cases of workplace injuries and illnesses, 2010: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	654,418
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	58
Number of workplace safety and health inspections conducted, FY 2011: ⁹	2,609
Construction:	1,316
Non-construction:	1,293
Length of time it would take for OSHA to inspect each workplace once:	104 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,010
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

OKLAHOMA

Worker Safety and Health

Number of employees: ¹	1,485,400
Number of establishments: ¹	102,337
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	94
Rate per 100,000 workers: ⁴	5.8
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	39
Total cases of workplace injuries and illnesses, 2010: ⁶	40,900
Rate per 100 workers:	4.0
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	21,600
Rate per 100 workers:	2.1
National rate:	1.8
Number of state and local employees: ¹	273,505
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	17
Number of workplace safety and health inspections conducted, FY 2011: ⁹	694
Construction:	474
Non-construction:	220
Length of time it would take for OSHA to inspect each workplace once:	137 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,098
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

OREGON

Worker Safety and Health

Number of employees: ¹	1,598,173
Number of establishments: ¹	126,858
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	47
Rate per 100,000 workers: ⁴	2.6
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	10
Total cases of workplace injuries and illnesses, 2010: ⁶	42,400
Rate per 100 workers:	3.9
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	24,100
Rate per 100 workers:	2.2
National rate:	1.8
Number of state and local employees: ¹	249,371
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	79
Number of workplace safety and health inspections conducted, FY 2011: ⁹	4,798
Construction:	1,376
Non-construction:	3,422
Length of time it would take for OSHA to inspect each workplace once:	26 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$346
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

PENNSYLVANIA

Worker Safety and Health

Number of employees: ¹	5,472,171
Number of establishments: ¹	339,293
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	221
Rate per 100,000 workers: ⁴	3.8
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	30
Total cases of workplace injuries and illnesses, 2010: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	620,300
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	66
Number of workplace safety and health inspections conducted, FY 2011: ⁹	3,109
Construction:	1,553
Non-construction:	1,556
Length of time it would take for OSHA to inspect each workplace once:	105 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,197
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

RHODE ISLAND

Worker Safety and Health

Number of employees: ¹	447,408
Number of establishments: ¹	35,060
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	9
Rate per 100,000 workers: ⁴	1.8
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	3
Total cases of workplace injuries and illnesses, 2010: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	49,675
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	7
Number of workplace safety and health inspections conducted, FY 2011: ⁹	410
Construction:	264
Non-construction:	146
Length of time it would take for OSHA to inspect each workplace once:	84 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$1,758
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction, 2010 private industry only*.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing, FY 2012, Federal-state operations and CSHO totals by state, FY 2012*.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

SOUTH CAROLINA

Worker Safety and Health

Number of employees: ¹	1,758,204
Number of establishments: ¹	110,864
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	69
Rate per 100,000 workers: ⁴	3.6
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	28
Total cases of workplace injuries and illnesses, 2010: ⁶	37,000
Rate per 100 workers:	3.1
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	19,300
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: ¹	300,150
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	29
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,742
Construction:	1,224
Non-construction:	518
Length of time it would take for OSHA to inspect each workplace once:	64 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$519
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

SOUTH DAKOTA

Worker Safety and Health

Number of employees: ¹	389,198
Number of establishments: ¹	30,879
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	36
Rate per 100,000 workers: ⁴	8.6
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	47
Total cases of workplace injuries and illnesses, 2010: ⁶	N/A
Rate per 100 workers:	N/A
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	N/A
Rate per 100 workers:	N/A
National rate:	1.8
Number of state and local employees: ¹	60,528
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	N/A
Number of workplace safety and health inspections conducted, FY 2011: ⁹	120
Construction:	58
Non-construction:	62
Length of time it would take for OSHA to inspect each workplace once:	243 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,107
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

TENNESSEE

Worker Safety and Health

Number of employees: ¹	2,558,438
Number of establishments: ¹	139,031
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	138
Rate per 100,000 workers: ⁴	4.9
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	37
Total cases of workplace injuries and illnesses, 2010: ⁶	65,400
Rate per 100 workers:	3.7
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	33,100
Rate per 100 workers:	1.9
National rate:	1.8
Number of state and local employees: ¹	367,857
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	37
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,945
Construction:	597
Non-construction:	1,348
Length of time it would take for OSHA to inspect each workplace once:	71 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$894
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

TEXAS

Worker Safety and Health

Number of employees: ¹	10,182,150
Number of establishments: ¹	573,886
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	461
Rate per 100,000 workers: ⁴	4.1
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	32
Total cases of workplace injuries and illnesses, 2010: ⁶	189,800
Rate per 100 workers:	2.7
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	110,100
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: ¹	1,609,226
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	98
Number of workplace safety and health inspections conducted, FY 2011: ⁹	4,024
Construction:	2,872
Non-construction:	1,152
Length of time it would take for OSHA to inspect each workplace once:	137 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,540
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

UTAH

Worker Safety and Health

Number of employees: ¹	1,150,737
Number of establishments: ¹	83,115
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	41
Rate per 100,000 workers: ⁴	3.2
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	17
Total cases of workplace injuries and illnesses, 2010: ⁶	25,800
Rate per 100 workers:	3.4
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	11,200
Rate per 100 workers:	1.5
National rate:	1.8
Number of state and local employees: ¹	166,763
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	22
Number of workplace safety and health inspections conducted, FY 2011: ⁹	630
Construction:	309
Non-construction:	321
Length of time it would take for OSHA to inspect each workplace once:	131 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$974
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

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³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing, FY 2012, Federal-state operations and CSHO totals by state, FY 2012*.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

VERMONT

Worker Safety and Health

Number of employees: ¹	293,058
Number of establishments: ¹	24,230
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	12
Rate per 100,000 workers: ⁴	3.5
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	26
Total cases of workplace injuries and illnesses, 2010: ⁶	9,800
Rate per 100 workers:	5.2
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	4,900
Rate per 100 workers:	2.6
National rate:	1.8
Number of state and local employees: ¹	46,038
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	10
Number of workplace safety and health inspections conducted, FY 2011: ⁹	325
Construction:	148
Non-construction:	177
Length of time it would take for OSHA to inspect each workplace once:	74 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$886
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

VIRGINIA

Worker Safety and Health

Number of employees: ¹	3,536,676
Number of establishments: ¹	230,288
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	107
Rate per 100,000 workers: ⁴	2.8
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	13
Total cases of workplace injuries and illnesses, 2010: ⁶	74,900
Rate per 100 workers:	3.1
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	38,700
Rate per 100 workers:	1.6
National rate:	1.8
Number of state and local employees: ¹	512,297
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	60
Number of workplace safety and health inspections conducted, FY 2011: ⁹	3,344
Construction:	2,067
Non-construction:	1,277
Length of time it would take for OSHA to inspect each workplace once:	69 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$798
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

WASHINGTON

Worker Safety and Health

Number of employees: ¹	2,808,698
Number of establishments: ¹	232,069
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	104
Rate per 100,000 workers: ⁴	3.3
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	20
Total cases of workplace injuries and illnesses, 2010: ⁶	86,700
Rate per 100 workers:	4.8
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	43,300
Rate per 100 workers:	2.4
National rate:	1.8
Number of state and local employees: ¹	449,875
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	117
Number of workplace safety and health inspections conducted, FY 2011: ⁹	5,644
Construction:	1,694
Non-construction:	3,950
Length of time it would take for OSHA to inspect each workplace once:	41 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$737
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing, FY 2012, Federal-state operations and CSHO totals by state, FY 2012*.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

WEST VIRGINIA

Worker Safety and Health

Number of employees: ¹	692,448
Number of establishments: ¹	48,327
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	95
Rate per 100,000 workers: ⁴	13.1
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	50
Total cases of workplace injuries and illnesses, 2010: ⁶	20,400
Rate per 100 workers:	4.4
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	11,100
Rate per 100 workers:	2.4
National rate:	1.8
Number of state and local employees: ¹	118,249
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	9
Number of workplace safety and health inspections conducted, FY 2011: ⁹	485
Construction:	204
Non-construction:	281
Length of time it would take for OSHA to inspect each workplace once:	92 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$1,636
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, *Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only)*, FY 2011.

WISCONSIN

Worker Safety and Health

Number of employees: ¹	2,633,572
Number of establishments: ¹	155,683
State or federal OSHA program: ²	Federal
Number of workplace fatalities, 2010: ³	91
Rate per 100,000 workers: ⁴	3.2
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	17
Total cases of workplace injuries and illnesses, 2010: ⁶	77,100
Rate per 100 workers:	4.3
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	39,600
Rate per 100 workers:	2.2
National rate:	1.8
Number of state and local employees: ¹	355,660
Are state and local employees covered by the OSH Act? ²	No
Number of workplace safety and health inspectors, FY 2012: ⁸	37
Number of workplace safety and health inspections conducted, FY 2011: ⁹	1,651
Construction:	780
Non-construction:	871
Length of time it would take for OSHA to inspect each workplace once:	90 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$2,094
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

WYOMING

Worker Safety and Health

Number of employees: ¹	271,151
Number of establishments: ¹	24,989
State or federal OSHA program: ²	State
Number of workplace fatalities, 2010: ³	33
Rate per 100,000 workers: ⁴	11.9
National rate:	3.6
Ranking of state fatality rate, 2010: ⁵	49
Total cases of workplace injuries and illnesses, 2010: ⁶	7,100
Rate per 100 workers:	4.0
National rate:	3.5
Total injury and illness cases with days away from work, job transfer or restriction, 2010: ⁷	3,400
Rate per 100 workers:	1.9
National rate:	1.8
Number of state and local employees: ¹	57,849
Are state and local employees covered by the OSH Act? ²	Yes
Number of workplace safety and health inspectors, FY 2012: ⁸	8
Number of workplace safety and health inspections conducted, FY 2011: ⁹	237
Construction:	136
Non-construction:	101
Length of time it would take for OSHA to inspect each workplace once:	101 yrs.
Average penalty assessed for serious violations of the OSH Act, FY 2011: ⁹	\$1,147
National average:	\$1,576

¹ U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Wages: Annual Averages*, 2010.

² Under §18 of the Occupational Safety and Health Act, a state may elect to run its own occupational safety and health program, provided it is as effective as the federal program. One condition of operating a state plan is that the program must cover state and local employees who otherwise are not covered by the OSH Act. Currently, 21 states and one territory administer their own OSHA programs for both public- and private-sector workers. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have state programs for public employees only.

³ U.S. Department of Labor, Bureau of Labor Statistics, *Census of Fatal Occupational Injuries*, 2010.

⁴ Preliminary rate calculated by the AFL-CIO using BLS 2010 CFOI fatality number and 2010 employment data from the Current Population Survey (CPS).

⁵ Ranking based on best to worst (1=best; 50=worst).

⁶ U.S. Department of Labor, Bureau of Labor Statistics, *Survey of Occupational Injuries and Illnesses*, 2010 private sector only.

⁷ U.S. Department of Labor, Bureau of Labor Statistics, *State Data, Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, Job Transfer or Restriction*, 2010 private industry only.

⁸ U.S. Department of Labor, OSHA. *Summary of State Safety and Health Compliance Staffing*, FY 2012, Federal-state operations and CSHO totals by state, FY 2012.

⁹ U.S. Department of Labor, OSHA IMIS and OIS Inspection Reports, Nation by Region for 18(B) State (only) and/or Nation by Region for Federal (only), FY 2011.

SOURCES AND METHODOLOGY FOR STATE PROFILES

Employment and Establishment Data: *Employment and Wages, Annual Averages, 2010*, Bureau of Labor Statistics, U.S. Department of Labor.

Coverage of State and Local Employees: OSHA coverage of state and local employees depends on whether the state has adopted and runs its own OSHA program. States that run their own OSHA programs are required, as a condition of gaining federal approval, to cover state and local employees. Public employees in the 25 states that do not run their own OSHA programs are not covered by the OSHAct. Statistics on the number of state and local employees are from *Employment and Wages, Annual Averages, 2010*.

Workplace Fatality Information: *Census of Fatal Occupational Injuries, 2010*, Bureau of Labor Statistics, U.S. Department of Labor. Rate reflects fatalities per 100,000 workers.

Private-Sector Injury and Illness Data: *Survey of Occupational Injuries and Illnesses, 2010*, Bureau of Labor Statistics, U.S. Department of Labor. Rate reflects injuries and illnesses per 100 workers.

Inspector Information: The number of federal OSHA inspectors comes from OSHA records and reflects the number of inspectors, excluding supervisors and discrimination complaint inspectors. For the state-by-state profiles, inspectors are counted for the state in which the area office is located. Inspector data for state plan states is from OSHA's Office of State Programs, and reflects the number of inspectors requested by the states in the FY 2012 state plan grant applications. National total for inspectors includes inspectors from U.S. territories and protectorates: the District of Columbia, the Virgin Islands and Puerto Rico.

Inspection Information: The number of inspections comes from OSHA's Integrated Management Information System (IMIS) and the new OIS (OSHA Information System). Two reports are obtained from IMIS: Region by State for Federal (only) and Region by State for 18(b) State (only), both for FY 2011. At various times during FY 2011, several OSHA regional offices (Region's 1,5,8,9 and 10) changed their federal inspection data collection system from IMIS to OIS. Overall, this amounted to approximately 4,500 federal inspections that were entered into the OIS data system for FY 2011. Two reports were obtained from OIS: FY 2011 Inspection Summary Report and FY 2011 Total Inspections and Total Construction Inspections, sorted by region and state. Grand total federal OSHA inspections conducted during FY 2011 were computed by adding inspection numbers from IMIS reports to inspection numbers from OIS reports.

The inspection ratio is determined by dividing the number of inspections conducted in the state into the number of establishments in the state under the jurisdiction of the agency (as determined by the Bureau of Labor Statistics data cited above). For states covered by federal OSHA, the number of covered establishments includes private-sector establishments (excluding mines, which are covered by the Mine Safety and Health Act) and federal establishments. For states that run their own OSHA programs, the number of establishments includes all private-sector establishments (excluding mines), state and local establishments and federal establishments. (Federal OSHA conducts a limited number of inspections in state-plan states, presumably federal facilities and maritime operations, for which state OSHA programs are not responsible. Both these inspections and these establishments are included in the state profiles). It should be noted that the national average includes inspection data from U.S. territories and protectorates: the District of Columbia, the Virgin Islands, Puerto Rico, Guam, American Samoa and the Marshall Islands.

Penalty Information: Data on average penalties comes from the above referenced IMIS reports. No information on penalties from the OIS data system referenced above was available at the time this report was prepared involving approximately 4,500 federal inspections for FY 2011. As a result, average penalty figures are incomplete and come from the IMIS reports only. Average penalty data is divided into individual state penalties, federal OSHA states penalties, state OSHA states penalties and a national

average of penalties. The average penalty numbers are ascertained by dividing the total cost for serious penalties by the total number of serious violations. It should be noted that the national average includes penalty data from U.S. territories and protectorates: the District of Columbia, the Virgin Islands, Puerto Rico, Guam, American Samoa and the Marshall Islands.

The Length of Time it Would Take for OSHA to Inspect Each Establishment Once: This information is calculated separately for each federal OSHA state, each state plan OSHA state, an average for federal OSHA states and state plan OSHA states and a national average for all states for one-time inspections. Establishment data is obtained from *Employment and Wages, Annual Averages, 2010*, at <http://www.bls.gov/cew/cewbultn10.htm>.

For individual *federal OSHA states*, the total number of private-industry (except mines) plus federal establishments is divided by the number of inspections per federal OSHA state. For Connecticut, Illinois, New Jersey and New York, the total number of establishments (except mines) is divided by the number of federal inspections plus the number of 18(b) state inspections.

For individual *state plan OSHA states*, the total number of establishments (except mines) is divided by the number of inspections per state.

For the *average of federal or state plans to inspect establishments one time*, the total number of establishments calculated above for individual federal or state plan states are added together and then divided by the total federal or state inspections, respectively. For federal states, Connecticut, Illinois, New Jersey and New York, the number of establishments includes the total number of private-industry (minus mines) plus federal establishments and the number of inspections includes only federal inspections conducted in those states.

For the *national average for one-time inspections*, the total number of establishments from the number calculated by the aforementioned procedure for both federal states and state plan states are added together and then divided by the total federal and state inspections.

NOTES: Due to the revised recordkeeping rule, which became effective Jan. 1, 2002, the estimates from the 2002 BLS Survey of Occupational Injuries and Illnesses are not comparable with those from previous years. Among the changes that could affect comparisons are: changes to the list of low-hazard industries that are exempt from recordkeeping, employers are no longer required to record all illnesses regardless of severity, there is a new category of injuries/illnesses diagnosed by a physician or health care professional, changes to the definition of first aid, and days away from work are recorded as calendar days.

Beginning with the 2003 reference year, both CFI and the Survey of Occupational Injuries and Illnesses began using the 2002 North American Industry Classification System (NAICS) for industries and the Standard Occupation Classification system (SOC) for occupations. Prior to 2003, the surveys used the Standard Industrial Classification (SIC) system and the Bureau of the Census occupational classification system. The substantial differences between these systems result in breaks in series for industry and occupational data. Therefore, this report makes no comparisons of industry and occupation data from BLS for years beginning with 2003 and beyond with industry and occupation data reported by BLS prior to 2003.

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